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KF36

By Exchange of
Duplicates.
8 Dec., 1880.

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Dept. 6347.50

# MUNICIPAL REGISTER

OF THE

# CITY OF LAWRENCE:

1862.

PRINTED BY AUTHORITY OF THE CITY COUNCIL.

LAWRENCE, MASS:
AMERICAN OFFICE,—GEO. S. MERRILL, PRINTER.
1862.

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REC. 173
DEC 8 1880
By exchg. of dupl.
(1862, 1870.)

# CITY OF LAWRENCE.

In Common Council, Jan. 6, 1862.

*Ordered,* That the Committee on Printing be and hereby are authorized to revise the Municipal Register of 1859, and as revised procure the printing of five hundred copies.

L. E. RICE, *Clerk.*

Sent up for concurrence.

---

In Board of Aldermen, Jan. 6, 1862.

Adopted in concurrence.

GEO. R. ROWE, *City Clerk.*

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# RULES AND ORDERS.

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# RULES OF THE BOARD OF ALDERMEN.

ARTICLE I.—The order of business shall be as follows :—

1. The journal of the previous meeting shall be read.

2. Petitions shall next be called for, and be disposed of by reference or otherwise, and also new business may be introduced by any member of the Board.

3. Such nominations, appointments and elections as may be in order, shall be considered and disposed of.

4. The orders of the day shall be taken up, meaning by the orders of the day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up from the common council.

ART. II.—Every ordinance shall pass through the following stages before it shall be considered as having received the final action of the Board, viz : first reading, second reading, passage to be enrolled, passage to be ordained ; and every joint resolution shall have two several readings, before the question shall be taken on its final passage.

ART. III.—An ordinance may be rejected at either stage of its progress ; but shall not pass through all its stages in one day.

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ART. IV.—Standing Committees shall be appointed as follows, viz: *On Police; on Elections; on Licenses; on Enrolled Bills.* The first committee to consist of the mayor and two aldermen; each of the others of three aldermen.

ART. V.—All Committees shall be appointed and announced by the mayor, unless the board shall determine otherwise.

ART. VI.—The above rules and orders of business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present, for specific purposes.

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# JOINT RULES AND ORDERS.

ART. 1.—At the commencement of the municipal year, the following joint standing committees shall be appointed by the respective boards, unless otherwise ordered, viz :

*A Committee on Finance*—To consist of the mayor, one alderman, the President and four members of the common council.

*A Committee on Accounts*—To consist of two aldermen and three members of the common council.

*A Committee on Public Property*—To consist of two aldermen and three members of the common council.

*A Committee on Streets*—To consist of the mayor, two aldermen, and five members of the common council.

*A Committee on Fire Department*—To consist of two aldermen and five members of the common council.

*A Committee on Printing*—To consist of one alderman and two members of the common council.

*A Committee on Ordinances*—To consist of the mayor and two members of the common council.

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ART. 2.—On all joint committees wherein it is provided that the mayor shall be a member, in case of the non-election, decease, inability, or absence of that officer, the chairman of the board of aldermen shall act *ex-officio*. The member of the board of aldermen first named on every joint committee of which the mayor is not a member, shall be its chairman; and in case of his resignation, or inability, the other members of the same board in the order in which they are named; and after them, the member of the common council first in order shall call meetings of the committee and act as chairman.

ART. 3.—In any case of disagreement between the two branches of the city council, either board may request a conference, and appoint a committee of conference, and the other board shall also appoint a committee to confer. Such committees shall, at a convenient hour, to be agreed upon by their chairmen, meet and state to each other verbally, or in writing, as either shall choose, the reasons of their respective boards, for or against the matter in controversy, confer freely thereon, and report to their respective branches.

ART. 4.—Either board may propose to the other for its concurrence, a time to which both boards shall adjourn; and when both boards are in session at the same time, neither shall adjourn without giving notice to the other.

ART. 5.—In all votes, when either or both branches of the city council express any thing by way of command, the form of expression shall be, "ORDERED;" and whenever either or both branches express *opinions, principles, facts, or purposes*, the form shall be "RESOLVED."

ART. 6.—No committee shall act by separate consultation, and no report shall be received, unless agreed to in committee actually assembled.

ART. 7.—Every joint special committee shall report within four weeks from the time of their appointment, or ask further time.

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ART. 8.—The reports of committees, whether by resolve ordinance, or otherwise, shall be made to the board in which the business originated.

ART. 9.—All reports and other papers, submitted to the city council shall be written in a fair hand; and no report or indorsement of any kind shall be made on the memorials or other papers referred to the committees of either branch; and the clerk shall make copies of any papers to be reported by committees, at the request of the respective chairmen thereof.

ART. 10.—No business shall be transacted by the city council in convention, except such as shall have been previously agreed upon, unless by unanimous consent.

ART. 11.—After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by a special transfer from some of the appropriations contained in the annual resolutions, or by expressly creating therefor a city debt; but no such debt shall be created, unless the reslution authorizing the same, pass by the affirmative votes of two-thirds of the whole number of each branch of the city council, voting by yeas and nays.

ART. 12.—Every joint resolution shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same; and when the same shall have been passed, it shall be sent to the other board for concurrence; and when such resolution shall have been passed by each board, the same shall be enrolled by the city clerk, and examined by a committee of the common council; and on being found correctly enrolled, without further reading or question, shall be signed by the president of the common council, and sent to the other board, where a like examination shall be made by a committee of that board; and if found correctly enrolled, shall be signed by the mayor.

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ART. 13.—Every ordinance shall have as many readings in each board as the rules of each board require, after which, the question shall be on passing the same to be enrolled, and it shall be sent to the other board for concurrence; and when such ordinance shall have passed to be enrolled in each board, the same shall be enrolled by the city clerk, and examined by a committee of the common council; and on being found by said committee to be correctly enrolled, the same shall be reported to the council, when the question shall be on passing the same to be ordained; and when said ordinance shall have so passed to be ordained, it shall be signed by the president of the common council and sent to the other board, where a like examination shall be made by a committee of that board; and if found to be correctly enrolled, the same shall be reported to the board, and the question shall be on passing the same to be ordained; and when the same shall have passed to be ordained, it shall be signed by the mayor.

ART. 14.—No enrolled ordinance or resolution shall be amended.

ART. 15.—No chairman of any committee shall audit or approve any bill or account against the city, for any supplies or service which shall not have been ordered or authorized by the committee.

ART. 16.—Joint standing committees shall cause records to be kept of their proceedings, in books provided by the city for that purpose.

ART. 17.—No vote by which an order, resolve, or ordinance, has been passed to its final stage, shall be reconsidered in either board, after the same has been finally acted upon in the other board, unless the motion for reconsideration be made, or notice given, at the same meeting at which the vote to be reconsidered passed; and when any order, resolve, or ordinance, shall have been rejected, no other substantially the same, shall be introduced by any committee, or member,

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during the municipal year, without the consent of two-thirds of the members present.

ART. 18.—When either board shall not concur in any action of the other, notice of such non-concurrence shall be given by written message.

ART. 19.—All messages between the two boards shall be drawn up by their respective clerks, and transmitted by them or through the messenger.

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# MODE OF APPOINTING CITY OFFICERS.

*By Mayor and Aldermen.*—City Marshal and Assistants, Constables, Police Officers, Engineers, Liquor Agent, City Crier, Committee to Complain of Truants.

*In Convention.*—Treasurer, Collector, Clerk, Overseers of Poor, Auditor of Accounts, Assessors, Street Commissioner, Superintendent of Burials.

*By Concurrent Vote.*—To be first elected by the Mayor and Aldermen: City Messenger, Measurers of Lumber, Wood and Bark, Plastering and Painting, Brick and Stone; Sealer of Weights and Measures; of Leather; Field Drivers; Pound Keepers; Fence Viewers. *By Concurrent Vote,*—either branch first electing: City Physician and City Solicitor.

*By Overseers of Poor.*—Keeper of Almshouse.

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# RULES AND ORDERS—COMMON COUNCIL.

## DUTIES OF THE PRESIDENT.

ART. 1.—The president shall take the chair at the hour to which the council may have adjourned; he shall call the members to order, and on the appearance of a quorum, proceed to business.

ART. 2.—In the absence of the president, the senior member present shall call the council to order, and preside until a president *pro tempore* shall be chosen by ballot. If no member shall receive a majority of the votes on the first ballot, upon the second a plurality shall elect.

ART. 3.—He shall preserve order and decorum; he may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal to the council, on the motion of any member regularly seconded.

ART. 4.—He shall decide all votes; but if any member doubt the vote, the president, without further debate, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and shall then declare the result.

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ART. 5.—He shall rise to address the council, or to put a question, but may read sitting.

ART. 6.—The president may call any member to the chair, who may preside for one meeting. When the council shall decide to go into committee of the whole, the president shall appoint the chairman. The president may only express his opinion on any subject under debate by leaving the chair, and appointing a member to take it; and in such case he shall not resume the chair while the question is pending, provided the same be taken previous to adjournment; but the president may state facts and give his opinion on questions of order, without leaving his place.

ART. 7.—He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and fixing time to fill blanks, the largest sum and the longest time shall be put first.

ART. 8.—When a question is under debate, the president shall receive no motion but

To adjourn,
To lay on the table,
For the previous question,
To postpone to a day certain,
To commit,
To amend,
To postpone indefinitely,

which several motions shall have precedence in the order in which they are arranged.

ART. 9.—The motion to adjourn, when to adjourn simply, the motion to lay on, or take from the table, for the previous question and for the yeas and nays, shall be decided without debate.

ART. 10.—He shall put the previous question in the following form: "*shall the main question be now put?*" and all

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debate upon the main question and pending amendments shall be suspended, until the previous question shall be decided. After the adoption of the previous question, the sense of the council shall forthwith be taken upon pending amendments in their regular order, and then upon the main question.

ART. 11.—All incidental questions of order, arising after a motion is made for the previous question, shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the council.

ART. 12.—When two or more members happen to rise at once, the president shall name the member who is first to speak.

ART. 13.—All committees shall be appointed and announced by the president, unless otherwise provided for, or especially directed by the council.

ART. 14.—In all cases the president may vote.

### RIGHTS AND DUTIES OF MEMBERS.

ART. 15.—At every regular meeting of the Council, the order of business shall be as follows, viz:

1. Calling the roll of members.
2. Reading the records.
3. Papers from the board of mayor and aldermen.
4. Unfinished business of preceding meetings.
5. Communications and reports from city officers, presentation of petitions, remonstrances and memorials.
6. Reports of committees.
7. Motions, orders or resolutions.

And the above order shall not be departed from but by a vote of a majority of the council present.

ART. 16.—When a member is about to speak in debate, or deliver any matter to the council, he shall rise in his

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place, and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality. He shall sit down as soon as he is done speaking; and no motion shall be entertained, unless made by a member rising in his place, and addressing the president.

ART. 17.—No member in debate shall mention another member by name, but may describe him by some designation intelligible and respectful.

ART. 18.—No member speaking shall be interrupted by another, but by rising to call to order. When a member is called to order, he shall immediately sit down, unless permitted to explain; and the council, if appealed to, shall decide on the case without debate; and if the decision is against the member, he shall not be permitted to speak, unless by way of excuse for the same, until he has made satisfaction.

ART. 19.—During debate, if objection be made thereto, no member shall speak more than twice to the same question without leave of the council; nor more than once, until all other members choosing to speak, shall have spoken.

ART. 20.—The vote on all questions shall be taken by yeas and nays, when one-third of the members present are in favor of it.

ART. 21.—Every motion shall be reduced to writing, if requested by the president or any member of the council.

ART. 22.—Any member may require the division of a question, when the sense will admit of it.

ART. 23.—When a vote has passed, it shall be in order for any member who voted in the *majority* to move a reconsideration thereof, at the same or the succeding meeting, but not afterward: and when a motion for reconsideration is decided, that vote shall not be reconsidered.

ART. 24.—No rule or order of the council shall be suspended unless three-fourths of the members present shall

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consent thereto; nor shall any rule or order be repealed or amended, without giving notice therefor, at the preceding meeting, nor unless a majority of the members present shall concur therein.

ART. 25.—Every member shall take notice of the day and the hour to which the council stands adjourned, and shall give his punctual attendance accordingly.

ART. 26.—The reading of any paper, when objected to, shall be determined by a vote of the council.

ART. 27.—The seats of the common council board shall be numbered, and determined by lot; and no member shall change his seat but by permission of the president.

ART. 28.—No member shall be allowed to vote, or serve on any committee, on any question where his private right is concerned, distinct from the public interest.

ART. 29.—The members of the council shall not leave their places on adjournment, until the president shall declare the council adjourned.

ART. 30.—All salaried officers shall be voted for by written ballot.

ART. 31.—All memorials and other papers addressed to the council, shall be presented by the president, or by a member in his place, who shall explain the subject thereof, and they shall be disposed of in the order in which they were presented, unless the council shall otherwise direct.

ART. 32.—Standing committees shall be appointed on the following subjects, viz: on elections; on bills in second reading; on enrolled bills; each to consist of three members.

ART. 33.—It shall be the duty of the committee on bills in second reading, to carefully examine all bills which shall pass to the second reading, to see that they are in technical form, and that their provisions are not repugnant to the laws and constitution of the Commonwealth, or to the charter and ordinances of the city.

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ART. 34.—All ordinances shall have two several readings before they shall be finally passed by the council; and no ordinance, order, or resolution, imposing penalties, or authorizing the expenditure of money, except orders for printing by either or both branches of the city council, shall have more than one reading on the same day.

ART. 35.—No committee shall sit during any meeting of the council without special leave.

DUTIES OF CLERK, ETC.

ART. 36.—The clerk shall keep minutes of the votes and proceedings of the Council, enter thereon such orders and resolutions as are adopted — shall notice reports, petitions, memorials, and other papers which are presented, and shall enter all accepted reports of select committees of the council, at length, in a separate journal, to be kept for that purpose, and provided with an index, — shall furnish the chairman of every committee, with the names of the members comprising the same, and shall attend the meetings of the committees of the council, and make their records, when required.

ART. 37.—The rules of parliamentary practice comprised in Cushing's Manual, shall govern this council in all cases to which they are applicable, and in which they are not inconsistent with the foregoing rules and orders, or the joint rules and orders of the city council.

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# GOVERNMENT AND OFFICERS.

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# GOVERNMENT AND OFFICERS.

## 1862.

MAYOR.

WM. H. P. WRIGHT,

Salary $800.

ALDERMEN.

Ward 1.—JOHN C. HOADLEY,
Ward 2.—WILLIAM R. SPALDING,
Ward 3.—S. M. STEDMAN,
Ward 4.—THOMAS S. STRATTON,
Ward 5.—LUTHER LADD,
Ward 6.—M. C. ANDREWS.

CITY CLERK.

GEORGE R. ROWE,

Salary $900.

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## COMMON COUNCIL.

### LEMUEL A. BISHOP,

President.

---

MEMBERS.

| | |
|---|---|
| Ward 1.—Chas. A. Brown, | Ward 4.—Albert Emerson, |
| " " Reuben Maynard, | " " J. D. Boothman, |
| " " Edwin F. Bailey. | " " F. L. Runals. |
| Ward 2.—L. A. Bishop, | Ward 5.—Rufus Fuller, |
| " " J. F. Cogswell, | " " Wm. P. Frost, |
| " " D. S. Jordan. | " " J. M. Freese. |
| Ward 3.—J. Pillsbury, Jr., | Ward 6.—E. W. Mathews, |
| " " Perley Ayer, | " " Joel Barnes, |
| " " James E. Morris. | " " George Poor. |

## CLERK OF THE COUNCIL.

### L. E. RICE,

Salary $100.

---

## CITY MESSENGER.

### CHARLES T. BEEDLE,

Salary $400.

---

## TREASURER AND COLLECTOR.

### NATHANIEL WILSON,

Salary $200 and one and one eight per cent on collections.

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AUDITOR OF ACCOUNTS.

L. E. RICE,

Salary $200.

---

CITY SOLICITOR.

NATHAN W. HARMON,

Salary $275.

---

STREET COMMISSIONER.

AMOS W. PEARSON,

Salary $600.

---

OVERSEERS OF POOR.

Chairman, Mayor, ex-officio,
Secretary, Geo. P. Wilson,
Alderman, Wm. R. Spalding,
" M. C. Andrews,
Ward 1.—Enoch Houston,
Ward 2.—Geo. P. Wilson,
" 3.—James M. Floyd,
" 4.—H. Withington,
" 5.—Andrew Briggs,
" 6.—Moses Nelson,

---

LIQUOR AGENT,

JAMES E. UNDERWOOD,

Salary $600.

---

CITY PHYSICIAN,

GEORGE W. SARGENT,

Salary $100.

---

KEEPER OF ALMSHOUSE.

DAVID AMBROSE,

Salary $400.

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ASSESSORS.

S. A. FORBUSH, J. D. HERRICK, R. H. TEWKSBURY,

Salary $250 each. Chairman $50 additional.

Assistant Assessors—Salary, Two Dollars a day when employed.

Ward 1.—Abel Webster,
" 2.—Franklin Edwards,
" 3.—John C. Ayer,
Ward 4.—Geo. Littlefield,
" 5.—Walker Flanders,
" 6.—Daniel Saunders.

SUPERINTENDENT OF BURIALS.

ELBRIDGE WESTON,

Salary $500.

SEALER OF WEIGHTS AND MEASURES.

JOHN F. BINGHAM,

(Paid by fees.)

INSPECTOR OF MILK.

JOHN F. BINGHAM,

Salary $25.

Public Weighers.

Lemuel A. Bishop,
Joseph Norris,
I. A. Chandler,
Henry A. Prescott,
Charles A. Brown,
F. L. Runals.

Sealer of Leather.

S. M. Stedman.

Measures of Brick and Stone.

James K. Barker,
Benjamin Coolidge,
Enoch Pratt,
Thomas Callahan.

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Measurers of Plastering and Painting.

Thomas S. Stratton,
George Littlefield,
Franklin Edwards,
James K. Barker.

Surveyors of Lumber.

O. C. Demeritt,
Morris Knowles,
Warren R. Foster,
Hezekiah Plummer,
Matthew Doyle.

Pound Keepers.

Benjamin Ames,
Eugene O'Sullivan.

Fence Viewers.

David C. Richardson,
A. R. Chandler.

Measurers of Wood and Bark.

Elbridge Weston,
Warren Stevens,
J. B. Howard,
David Danforth, Jr.,
Daniel Hardy,
Charles P. Stackpole,
E. F. Bean,
Philip Yeaton,
Luther E. Stevens,
Lemuel A. Bishop.

Field Drivers.

Wm. E. Foster,
Moses Noble,
J. C. Merrow,
Benjamin Ames.

# POLICE DEPARTMENT.

## POLICE COURT.

JUSTICE.

WILLIAM STEVENS,
Salary $1500.

CLERK.

HENRY L. SHERMAN,
Salary $800.

(Paid by Commonwealth.)



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CITY MARSHAL.

JOHN W. PORTER,

Salary $700.

ASSISTANT MARSHAL.

JOHN S. PERKINS,

Salary, $1.50 per day when employed.

CONSTABLES.*

JOHN S. PERKINS, | ALANSON BRIGGS.

TRUANT OFFICERS.

Geo. A. Walton, | C. T. Chamberlain, | Alanson Briggs.

NIGHT WATCH.†

| | | |
|---|---|---|
| Noah Parkman, | E. R. Hayden, | Náthan A. Holt, |
| E. M. Frost. | Patrick Murphy, | Thomas Stone, |
| J. H. Keyes, | Jas. Boardman, | V. Danforth, |
| | N. M. Storer. | |

POLICE OFFICERS.‡

| | | |
|---|---|---|
| Justin Gleason, | Enoch F. Hatch, | Walter Huzzey, |
| J. Y. Buzzell, | Henry York, | M. Batchelder, |
| Charles Clark, | Charles E. Hall, | E. Weston, |
| Warren R. Foster, | J F. Small, | C. T. Beedle, |
| L. Chadwick, | Fred. Gilman, | A. W. Pearson, |
| P. B. Robinson, | R. S. Stoddard, | Wm. B. Gallison, |
| Allen Wilson, | Amos Higgins, | Charles Place, |
| James A. Fogg, | Joseph Boyden, | William Steele, |
| William Jordan, | E. W. Burbank, | J. M. Currier, |
| Moses Wingate, | Geo. C. Palmer, | C. T. Chamberlain. |

* Paid by fees. † Receive 1,50 per night. ‡ Paid only when in actual service.

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# WARD OFFICERS.

## WARD ONE.

Warden,
Alfred Hall.
Ward Clerk,
J. F. Gilbert.
Inspectors,
Thomas Haskell,
David Ambrose,
Daniel Blaisdell.

## WARD TWO.

Warden,
William D. Lamb.
Ward Clerk,
Charles H. Walker.
Inspectors,
Albin Yeaw,
E. M. Moores,
John F. Weare.

## WARD THREE.

Warden,
Lawson Rice,
Ward Clerk,
Joel Daniels.
Inspectors,
Leonard Stoddard,
Charles H. Stickney,

## WARD FOUR.

Warden,
George Sanborn.
Ward Clerk,
C. A. Dockham.
Inspectors,
Carlton Payson,
David Wentworth,
H. J. Couch.

## WARD FIVE.

Warden,
Thomas Kent.
Ward Clerk,
D. Marden.
Inspectors,
J. G. Kempton,
A. M. Bodwell,
J. P. Burnham.

## WARD SIX.

Warden,
Alonzo Buxton.
Ward Clerk,
William F. Cutler.
Inspectors,
E. W. Burbank,
Moses Nelson,
N. A. Holt.

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# SCHOOL DEPARTMENT.

SCHOOL COMMITTEE.

WM. H. P. WRIGHT, Mayor, ex-officio, Chairman.

Ward 1.—Geo. Packard,
" —John R. Rollins,
Ward 2.—Wm. L. Jenkins,
" —A. D. Blanchard,
Ward 3.—Geo. W. Garland,
" —C. E. Fisher,
Ward 4.—J. D. Herrick,
" —T. H. Fernald,
Ward 5.—Daniel Hardy,
" —Milton Bonney,
Ward 6.—W. Fisk Gile,
" —William Cutler.

SUPERINTENDENT OF SCHOOLS.

JOSEPH L. PARTRIDGE,

Salary $400.

TEACHERS.

Principal Oliver High School.

HENRY L. BOLTWOOD,

Salary $1200.

Assistants,

Jane S. Gerrish,

Salary $550.

Harriet C. Hovey,

Salary $375.

Principal Oliver Grammar School,

GEORGE A. WALTON,

Salary $1400.

Sub-Master,

James H. Eaton,

Salary $1000.

Assistants.

Mary Young,
E. G. Macy,
M. B. F. Brown,
Abby Hale,
S. O. Brickett,
A. C. Eastman,
A. L. Abbott,
S. W. Cole,
S. W. Baker,
Rachel A. Gerrish,
M. M. Persons.

Salaries $250 the first year; $275 the second year, $300 for the third and subsequent years.

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Principal South Grammar School,
JOHN ORNE, Jr.,
Salary $750.

South Middle School.
Sarah A. Nelson.
Cynthia Hawley.

South Primary No. 1,
S. A. Richardson.

South Primary No. 2,
Abby S. Dodge.

Tower Hill Middle School,
E. W. Richardson.

Cross Street Middle School,
L. S. Faulkner.

Pine Street Middle School,
M. L. Abbott.

Franklin Street Middle School,
Rebecca Gray.

Amesbury Street Middle School,
Abby A. Parsons.

Oak Street Middle School,
R. F. Doane.

Newbury Street Middle School,
Emma A. Stephens.

Elm Street Middle School.
Anna W. Morrison.

Prospect Street Middle School.
K. L. Marshall.

Prospect Street Primary School,
Fannie Swan.

Elm Street Primary School,
M. A. Chapman,
Sarah H. Harding.

Newbury Street Primary School.
H. L. Cole,
S. C. Morrison.

Union Primary School,
Elizabeth C. Bailey,
H. E. Gault.

Oak Street Primary School No. 1,
F. A. Reed.

Oak Street Primary School No. 2,
E. G. Wetherbee.

Oak Street Primary School No. 3,
N. M. Carter.

Amesbury Street Primary School,
M. J. Wells,
H. L. Ambrose,
Martha Durrell.

Franklin Street Primary School,
L. L. Gordon,
A. R. Chandler.

Pine Street Primary School.
L. F. Swan.

Cross Street Primary School,
R. R. Kempton,
I. H. Pratt.

Tower Hill Primary School,
M. E. Cook.

Riverside Primary School,
L. P. Greenough.

Salaries $250 first year; $275 second year; $300 the third and subsequent years.

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# FIRE DEPARTMENT.

CHIEF ENGINEER.

LUTHER LADD,

Salary $50.

ASSISTANT ENGINEERS.

James Byrom, | Geo. A. Fuller,
John Beetle. | Benjamin Booth,

Chas. H. Trueworthy,

Salary $25 each.

CLERK,

BENJAMIN BOOTH,

Salary $25 additional.

ENGINE COMPANIES.

Essex. No. 1, - - - Morton Street,
Richard Worswick, Foreman.

Niagara, No. 2, - - - Garden Street,
John Leybourne, Foreman.

Syphon, No. 3, - - - Haverhill Street,
Thomas S. Stratton, Foreman.

Tiger, No. 4, - - - South Side,
J. Q. A. Burridge, Foreman.

Hook & Ladder, - - - Amesbury Street,
A. R. Brewster, Foreman.

City Hose, No. 1, - - - Amesbury Street,
Melvin Beals, Foreman.

Steamer Pacific, - - - Lowell Street,
Geo. Sanborn, Foreman.

Steamer Atlantic, - - - Haverhill Street,
(Not yet organized.)

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# MAYOR'S ADDRESS.

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# MAYOR'S ADDRESS.

*Gentlemen of the City Council:*

This day commences the tenth year of our municipal existence as one of the Cities of our old time-honored Commonwealth.

From our first organization as a town, the courage, energy and enterprise of our people have from time to time been tested, in ways that have fallen to the lot of no other community.

In our corporate infancy, when the Capitalists of New England were endeavoring to stay the mighty waters of the Merrimack, to subordinate their wild waste of power into industrial wealth, an unexpected rise in the waters suddenly swept away the temporary coffer dam; loss of life was consequent, and increased expense, serious disappointment and disheartening delay were entailed on those who were so busily engaged in founding here a new city.

The ingenuity of man triumphed over the power of the elements, and across our noble river stands a structure as enduring as the foundation bed of the mighty stream.

Close upon the heels of this first misfortune followed up from time to time devastating fires upon either side of the river, seeming to select as their especial prey our most substantial and valuable buildings.



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The disastrous times of '57, carrying with them the entire prostration of three large corporations, giving employment to thousands whose daily bread seemed dependent upon the wages to them paid, were succeeded by a terrible conflagration, which destroyed our newly erected Court House, laid waste one of the fairest portions of our chief business street, and swept in its resistless force almost one entire square of our devoted city. And to close our series of disasters, an entire mill "from turret to foundation stone" falls upon a thousand operatives within busily employed, and to render the calamity more awful, a cruel fire sweeps over the fallen pile, suffocating the unfortunates then alive in the ruins, blackening and consuming the bodies of the dead, denying even to surviving, sorrowing relatives and friends, the poor privilege of recognizing the inanimate bodies of those near and dear to them. Well might strangers call this our home a doomed city. But our business men, although discouraged, were not entirely disheartened. Our citizens, sad though they might be, still clung to the spot in which their hopes were centered, and which their early confidence in its ultimate prosperity had selected as a home and abiding place. Capital would not lay idle, machinery could not stand still, busy fingers were ready for employment. The same careful thrift, the same quiet yet determined energy, characteristic of the Yankee, that has made the rigors of a northern winter with its chilling ice crop as profitable as the autumnal season with its golden grain, and rendered the hard granite hills of New England as gainful as the rich coal deposits of the more favored States, was still predominant.

Upon the ruins of the Pemberton Mill arose a new structure; a change in the corporate name and character of the Bay State Mills gave a new impetus to the woolen manufacture; the vast Machine shop was sold and converted to the manufacture of cottons, under the favorable auspices of a new corporation known as the Everett Mills. Prosperity

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seemed again to dawn upon us, business revived, real estate enjoyed an appreciable value; tenements were in demand, new buildings were in process of erection, when the unfortunate troubles of our country — the wicked rebellion of our sister States — severely affecting as it necessarily did all branches of cotton manufacture, again causes a cloud of depression to lower over the business and financial prospects of our city just emerging from its sea of troubles.

Under these discouraging circumstances we enter upon the administration of the city. To tell you that economy is requisite, that retrenchment wherever possible is an absolute duty, would be simply advancing an idea that you as well as I know and understand to be that which all of us have felt called upon to carry out in our business and private relations. Let that same provident foresight, which, as business men of Lawrence, you have so generally displayed in your own individual private affairs, be extended to the affairs of the City of Lawrence, and an economical administration is the certain result.

| | |
|---|---|
| As appears by the Auditor's Report for 1860, the debt of our city on Jan. 1st, 1861, was | $172,233.00 |
| Being an increase upon the debt of the previous year of over - - - - - | 10,500.00 |
| The appropriation made the past year for city expenditures was - - - - - | 94,500.00 |
| And the expenditures actually incurred were about - - - - - - - | 125,500.00 |
| This includes all monies expended for the relief of the military, the appropriations for which, made from time to time, amounted in gross to - - - - - - | 29,000.00 |
| Of which there has been actually expended about - - - - - - - | 28,000.00 |

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The report of the Auditor, will, during the present month be laid before you, which will give the detail of the expenditures, and show the present financial condition of the city.

This extraordinary expenditure upon our troops no human wisdom one year ago could have foreseen. The occasion when it came required immediate action. The emergency was promptly and boldly met. The city of Lawrence, upon an hour's notice, had ready her two companies of soldiers, eager to march wherever duty called. An appropriation for the benefit of the families of these brave men was made before they left our city. Man, woman and child applauded this prompt action of the City Council, that secured from want the wives and children of our brave defenders in their absence.

Immediately upon this more troops were demanded by Government. Lawrence responded to the call. Her sons, native born and adopted, seemed to vie with each other in generous emulation as to which should first shed their blood in the defence of that country whose privileges and blessings had been so freely bestowed on each. To protect from the cruel blow of the assassin the bosom of his mother country, seemed to the adopted child an obligation as sacred, and a duty as holy, as to him who in infancy first sported there. To keep pace with this enthusiasm of the people was the duty of the City Government. Armed men had hungry mouths other than their own to feed. Armed men required clothing and other comforts. They must be provided for.

To the Knight who goes out in mortal combat in your stead to do battle for your honor, you surely would not begrudge the breast-plate and the harness, the lance and shield. Appropriations were from time to time made by the City Council, as occasion seemed to require, and the expenditures were made under the direction of the Finance Committee. Some of the expenditures so made may not meet our full approbation, but we must remember that it is one thing now

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dispassionately to review their action, another to say what we individually in their stead at the very moment would have done.

Let us rather attempt by acquired experience to improve upon the action of the late Committee, than hastily condemn what our out-going administration have honestly and faithfully endeavored to perform.

The act of 1861, I understand to be for the relief of families of volunteers in actual need, rather than a State premium for enlistment.

| | | |
|---|---|---|
| The Finance Committee for the past year have expended for military equipments about - - - - - - | $5,000 | |
| For board of men and support of families previous to enlistment, about - | 3,100 | |
| Excess over State allowance on 3 months men, about - - - - | 1,500 | |
| Excess over State allowance on men in service, about - - - - | 3,200 | |
| Incidental expenses, about - - | 1,200 | |
| To which adding the sum we may reasonably expect the State to re-imburse, | 14,000 | |
| Makes the amount expended, - - | | $28,000 |

It is hoped that the State Legislation of this Winter may so shape itself as to afford to our City such additional relief from past expenditures as fairness and strict justice seem to demand.

The number of families assisted have been 500.

The estimated number of our men now in service. is 550.

The number of our three months volunteers, was 100.

The average expenditure to each family per month is $7.00, which is I believe much smaller than that of any other City in our Commonwealth.

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I am aware that our volunteers have brought upon us a heavy expense; but to us now and hereafter they will be a source of great pride. Individual cases will hereafter arise where aid is needed more than the State will re-imburse, but I trust to the patriotism of the citizens of Lawrence, and am confident that the exercise of a careful yet judicious liberality towards the families of our absent soldiers, will command the approbation of all our citizens, who would hold us inexcusable if we allowed the soldier's wife to feel herself forsaken, or permitted his children to go about our streets begging bread.

The amount required as necessary for the aid and relief of families of volunteers during the next year, as near as can be ascertained, will not exceed the sum of $30,000. This estimate is based upon the present monthly expenditure by the Finance Committee, which amounts to $2,800.

Of course the monthly expenditure in winter will greatly exceed that of any other portion of the year, and there is still an uncertainity how much the number of those requiring aid may be increased by continued enlistment, or diminished by success of arms and early withdrawal of troops. As we may reasonably expect that nearly all of our expenditures hereafter made on families of volunteers will be reimbursed by the State, I would recommend that provision for this purpose be made by loans of money from time to time, as may be required by the exigencies as they arise.

Our Schools are, I believe, generally in a prosperous condition. Our High School during past years seems to have been particularly unfortunate in a continual change of teachers. This is, of course, a great disadvantage to every school of whatever grade, particularly to one of the highest rank. The Oliver Grammar School, with its able principal and worthy assistants, still occupies the proud position it has long maintained among the very best in our State.

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I would call to your attention the necessity of some provision for the maintenance of a Truant Commissioner. If our system of free, universal education is correct, and no one now is bold enough to dispute it, it is of the highest importance that the advantages so freely offered, at such great cost, should be embraced by all, and that so far as watchfulness and vigilance can prevent, no one should be allowed to grow up in ignorance and its sure concomitants — idleness and vice. A regular attendance at school is an absolute guaranty against this; a continued truancy, and a street education in youth, are almost sure to result in a life of dishonor and crime. An appropriation of one hundred dollars for this purpose would, I believe, be a wise investment, from which in after days the community might reasonably expect to receive a heavy dividend.

A notice to vacate the Union School House, so-called, on Newbury Street, by the 1st of April next, has been given the City. This will require immediate attention on your part, that suitable provision may be made for the school. As I know of no suitable and convenient building in that vicinity that can be leased for the purpose, to erect a building may become a matter of necessity. There seems to be no occassion for an expensive structure, and I would recommend to your consideration such immediate action in the premises as you may deem proper upon further advisement and acquaintance with the necessities and requirements of the matter.

Our streets, so far as I know, are in good repair, and our bridges safe for travel. At the last Criminal Term of the Superior Court, that portion of the highway on the southerly side of the Merrimack, which lies between the lower bridge across the river and the bridge across the Shawsheen river, was indicted. I am of the opinion that the road, although heavy, is perfectly safe, and as good as the nature of the soil thereabout will warrant. To put that portion of the road

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into the condition of some of our hard gravelled highways, would cost at least one thousand dollars. A proper examination of the premises is advisable,—a highway, safe and convenient for travellers must be maintained. We must decide what, if any thing is necessary on our part to comply with the law, and having so decided, to maintain our position. To have it understood that an indictment of a highway was a sufficient cause for an immediate expenditure on the road, would establish a precedent dangerous in the extreme, since interested parties could by proper activity and personal influence, to suit their own selfish purposes, so readily bring about the desired result.

The upper end of Essex street during the past season, has been treated npon the Mc-Adam principle; this is an experiment, whether successful or not time will show. At present there is a decided difference of opinion among those somewhat informed in such matters. A careful estimate has been made of the probable cost of paving, with blocks of stone, that portion of Amesbury street south of Common street, across Essex street as far as Merchants Row extends. This portion of Amesbury street is more travelled than any other equal portion of any street in this city. Essex street before Merchants Row needs repair to some extent. The estimated expense of such improvement is $1600. To your consideration I feel it my duty to refer this, while at the same time I believe that, as at present circumstanced, we are warranted in doing nothing more than is absolutely requisite to keep our public ways in a fair condition for travel, or, in other words, to allow permanent improvements to wait until a brighter day than that which now dawns upon our land shall warm us into activity with its sunbeams of prosperity.

The matter of a new station house has for the past year been under consideration. The present one certainly is not an ornament to our city, nor the object of especial pride,

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either to the past or incoming Committee on public property. Whenever a new station house is erected it should be a building with the cells and necessary conveniences below, and a Police Court Room, with the offices for the Judge and Clerk, convenient in the second story. In these last mentioned Departments, the City has no interest and is called upon to assume no responsibility and incur no expense. They are under the exclusive control of the County.

Before doing anything it would be necessary for the City and County to enter into some arrangement for the joint erection or occupancy of a building, in which each was to enjoy a distinct and seperate interest and privilege.

The present building is one which secures the safe keeping of its occupants. I hear no serious complaints from the prisoners who have enjoyed its privileges as inmates. So far as the Police are concerned, their place is supposed to be outside on their respective beats; if the accommodations of the reception room in the present building do not suit them, they must remember that it is at their personal solicitation and desire that, for a fair consideration, they patrol our streets at night, and that the grand purpose of a Station house is to secure those persons guilty of offence, not to minister to the fanciful ideas of convenience, ease and comfort of those whose strict attention to duty would require their attendance elsewhere.

A thorough cleansing of the premises is all that ought to be expected of our City during the next year.

The same careful economical management of our Poor Farm, which for the last four years has been so satisfactorily displayed by the present keeper of the Alms House, still continues. The neatness of the premises, the satisfactory condition of the inmates, all testify to the interest felt by the Superintendent towards the unfortunate poor, as well as for the City which supports and maintains them.



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Our Fire Department is in a state of thorough efficiency. Within the past year three new reservoirs have been constructed, — one in Hallsville, so called — one at the junction of Summer and Newbury streets, and one on the southerly side of Merrimack River. The ample provision made in past years has ensured to this Department a commendable degree of perfection.

Our Cemetery is not to be overlooked. Every week during the open season new improvements are made and additional embellishments added to the different lots, by those who to this consecrated soil have committed the bodies of their loved ones. While this general individual interest is exhibited by the proprietors of lots, a corresponding obligation on the part of the City is surely expected and required. Within the past year the receiving tomb has been enlarged, and improvements in constructing, grading, and completing the walks and carriage paths have been gradually prosecuted. A Committee was chosen by the past City Council to select, grade, enclose and embellish a lot in which to deposite the body of the lamented Sumner H. Needham, one of that triune body of martyrs in defence of Constitutional liberty, who on the 19th day of April last, fell a victim to the passions of a lawless mob in the streets of Baltimore. It is eminently proper that this patriotic undertaking should be prosecuted to completion without delay. That future generations may read the story of him who died early in his country's cause, it is well to raise the shaft of polished marble or enduring granite. We never shall forget the death and sufferings of the brave soldier, who went out from amongst us to do battle in our stead.

It is unnecessary for me to commend to the grateful remembrance of our citizens the widow of the deceased. To her belongs the sincere respect of the high, the low, the rich and the poor. The blessings of the aged will rest upon her, the reverence of youth will ever be her due, and the

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rulers of the land shall rise up at her coming in and going out.

Nor must we forget that the same snow that whitens the tomb of a Needham and a Drew, covers with its robe of purity the grave of the young patriot Finnesey.

Within the past year has deceased the Rev. James O'Donnell, pastor of St. Mary's Church. No man in our City exercised so vast an influence for weal or woe as did he, and few could have exercised that influence in so judicious and creditable a manner. Earnest in behalf of temperance and sobriety among his people — determined in the general observance of law, in the preservation of public peace and good order — firm in the maintenance of and obedience to the officers of the police, and the constituted authorites of the City and State, in their support he lent not only his voice at the altar, but his personal influence and interference wherever he believed the time and occasion required — beloved by his people, respected by all classes of citizens — in him his flock lost an able, generous, kind-hearted pastor, and the City a valuable and esteemed resident.

He sleeps by the side of the church he loved so well, in the city in whose rise, progress and welfare he took so deep an interest. A respect for the many estimable virtues of the man demands at least this official recognition of the merits of the dead. May his mantle fall upon the shoulders of deserving successors!

Gentlemen, I have endeavored to present to you briefly, the wants of our City,— the general condition of public affairs, and the extraordinary expenditures which we may reasonably expect to be called upon to provide for. Other than the Military Relief Fund, the provision for a Truant Commissioner, and the School House on Newbury street — if you favorably consider the two latter — I can anticipate nothing further than what may be termed the ordinary yearly expenditures of our City.

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It will not be our lot to erect magnificent public structures, or commence and carry through great public improvements, which will identify with their existence the administration that originated them. Let us, then, earnestly endeavor that an economical management of affairs and a vigilant supervision of expenditures shall impart such a confidence in the credit, standing and condition of our City, as shall enable us, on the return of peace, with accompanying prosperity, to assume that high position among our sister Cities that our favorable location, unlimited unimproved water power, and excellent advantages and conveniences seem eventually to promise and ensure.

Soon may the ebon cloud, so ominously impending over our land, give way to the meridian brightness of the sun of success, whose first scintillating beams are now faintly flashing in the Southern horizon. Soon may the faint puffs of encouragement which begin now to flutter our canvass, rise into a propitious breeze and waft the good old Ship of State into the haven of prosperity, into the harbor of peace. Soon may the clang of arms, the roll of the spirit-stirring drum, the clarion note of the trumpet, the measured tread and steady tramp of armed hosts, give place to music more homely yet more congenial to the ears of a laboring people. In their stead may we soon hear the hum of busy machinery, the roar of the water fall, the confined breathings of the steam engine, the twirl of the spindle, the clatter of the loom, the ring of the anvil, all joining in harmonious symphony with the song of the sower, the hymn of the reaper and the voices of a free and prosperous people, in one grand industrial chant of liberty, happiness and peace — Liberty to all our people, Happiness in all our land, and Peace in the bosom of our distracted, bleeding Common Country!

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# CITY CHARTER.

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# CITY CHARTER.

SEC. 1.—The inhabitants of the Town of Lawrence shall continue to be a body politic and corporate under the name of the City of Lawrence, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon and pertaining to the said town, as a municipal corporation.

Lawrence to be a city.

SEC. 2.—The administration of all the fiscal, prudential and municipal affairs of the said city, with the government thereof, shall be vested in one municipal officer, to be styled the Mayor; one council of six to be called the Board of Aldermen, and one council of eighteen, to be called the Common Council; which boards, in their joint capacity, shall be denominated the City Council, and the members thereof shall be sworn to the faithful performance of their respective duties. A majority of each board shall constitute a quorum for the transaction of business. And no member of either board shall receive any compensation for his services.

Administration &c., to be vested in a mayor, six aldermen, and eighteen common councilmen.

No compensation.

SEC. 3.—The city shall be, and the same is hereby, divided into six wards, as follows:—All that portion north of the Merrimack River, and east of a line drawn from said river northerly through the center of

City divided into six wards.

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Newbury street to Meadow street, thence through the center of Meadow street to the bridge over the Spicket river, on the Haverhill road, thence through the center of the Haverhill road to Prospect street, thence northerly through the center of Prospect street to the city line, shall be one ward, and known as Ward One.

Ward one.

All west of said line, and east of a line drawn from Merrimack river northerly through the center of Lawrence street until it reaches the city line, shall be one ward, and known as Ward Two.

Ward two.

All that portion west of the center of said Lawrence street, and east of a line drawn through the center of Hampshire street northerly from the Merrimack river until it reaches Pine street, thence through the center of Pine street until it reaches Lawrence street, near the city line, shall be one ward, and known as Ward Three.

Ward three.

All that portion of the city west of said line drawn through Hampshire street, and east of a line drawn through the center of Turnpike street northerly from the Merrimack river, until it reaches the city line, shall be one ward, and known as Ward Four.

Ward four.

All that portion of the city north of the Merrimack river, and west of a line drawn through the center of Turnpike street northerly from said river, shall be one ward, and known as Ward Five.

Ward five.

Ward six. All that portion of the city south of the Merrimack river shall be one ward, and known as Ward Six.

It shall be the duty of the city council in the year eighteen hundred and fifty-six, and after that once in five years, and not oftener, to revise, and if it be needful, to alter the boundaries of the several wards, in such manner that they may contain as nearly as may be, an equal number of inhabitants.

City Council shall revise wards in 1856, and once in five years after.

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SEC. 4.—On the first Monday in December, annually, there shall be chosen by ballot, in each of said wards, a warden, clerk, and three inspectors of elections, residents of the wards in which they are chosen, who shall hold their offices for one year, and until others have been chosen in their places and qualified to act. It shall be the duty of such warden to preside at all ward meetings, with the powers of moderators of town meetings. And if, at any meeting the warden shall not be present, the clerk of such ward shall call the meeting to order, and preside until a warden *pro tempore* shall be chosen by ballot. The clerk shall record all the proceedings and certify the votes given, and deliver to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity.

Election of clerk, warden, and inspectors.

In absence of warden, clerk may preside.

Clerk pro tem may be chosen.

And it shall be the duty of inspectors of elections to assist the warden in receiving, sorting and counting the votes. And the warden, clerk and inspectors of elections, so chosen, shall respectively make oath or affirmation, faithfully and impartially to discharge their several duties relative to all elections; which oath may be administered by the clerk of such ward to the warden, and by the warden to the clerk and inspectors, or by any justice of the peace for the county of Essex.

Duties of inspectors.

Oaths of ward officers—how administered.

All warrants for meetings of citizens for municipal purposes, to be held either in wards or in general meetings, shall be issued by the mayor and aldermen, and shall be in such form, and shall be served, executed and returned in such manner, and at such times as the city council may, by any by-law direct.

Warrants for meetings—how issued, etc.

SEC. 5 —The mayor and six aldermen, one alderman to be selected from each ward, shall be elected by the qualified voters of the city at large voting in their respective wards;



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and three common councilmen, and one person to be an overseer of the poor, and one person to be a member of the school committee, and one person to be an assistant assessor, shall be elected by the qualified voters of each ward, and shall be residents of the wards wherein they are elected. All said officers shall be chosen by ballot, and shall hold their offices for one year from the first Monday in January, and until others shall be elected and qualified in their places.

Elections, qualification and term of office of mayor and others.

SEC. 6.—On the first Monday of December, annually, the qualified voters in each ward shall give in their votes for mayor, aldermen, common councilmen, overseer of the poor, school committee, and assistant assessor, as provided in section five of this act; and all the votes so given shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given for each to be written in the ward records in words at length. The clerk of the ward shall, within twenty-four hours after such election, deliver to the persons elected members of the common council, overseers of the poor, school committee, and assistant assessor, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors of elections for such ward, and shall deliver to the city clerk a copy of the records of such elections, certified in like manner; *provided, however*, that if the choice of common councilmen, overseer of the poor, school committee, or assistant assessor, shall not be effected on that day, the meeting may be adjourned from time to time, but not more than seven days at any one time, until such election is completed. The board of aldermen for the time being shall, as soon as conveniently may be, within seven days after such election, examine the copies of records of the several wards, certified as aforesaid, and shall cause the person who may have been

Proceedings at elections.

Certificates of election to be issued.

Provided, etc.

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elected mayor, to be notified in writing, of his election; but if it shall appear that no person has received a majority of all the votes, or if the person elected shall refuse to accept the office, the board of aldermen shall issue their warrant for a new election, and the same proceedings shall be had as hereinbefore provided for the choice of mayor, and repeated from time to time, until a mayor shall be chosen and shall accept the office. In case of the decease, resignation, or absence of the mayor, or his inability to perform the duties of his office, it shall be the duty of the board of aldermen and common council, in convention, to elect a mayor to serve during the unexpired term, or until the occasion causing the vacancy be removed. And if it shall appear that the number of aldermen have not been elected, the same proceedings shall be had as are hereinbefore provided for the choice of Mayor. Each alderman shall be notified in writing of his election by the mayor and aldermen for the time being.

Mayor to be notified.

Proceedings in case of failure to elect.

Vacancies--how to be supplied.

Notice to aldermen.

The oath prescribed by this act, shall be administered to the mayor by the city clerk, or by any justice of the peace for the county of Essex.

The aldermen and common councilmen elect, shall, on the first Monday in January, at ten o'clock in the forenoon, meet in convention, when the oath required by this act shall be administered to the members of the two boards present, by the mayor, or by any justice of the peace of the county of Essex; and a certificate of such oath having been taken, shall be entered in the journal of the mayor and aldermen, and of the common council, by their respective clerks.

Oath of office administered & recorded.

And whenever it shall appear that no mayor has been elected previously to the said first Monday in January, the mayor and aldermen, for the time being, shall make a record of that fact, an attested copy of

In case of failure to choose Mayor, etc.

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which the city clerk shall read at the opening of the convention to be held as aforesaid.

Organization of com. council.

After the oath has been administered as aforesaid, the two boards shall separate, and the common council shall be organized by the choice of a president and clerk, who shall be sworn to the faithful discharge of their duties.

Proceedings in absence of mayor.

In case of the absence of the mayor elect, on the first Monday in January, the city government shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present; and the oath of office may be administered to the mayor, at any time thereafter, in a convention of the two branches.

Mayor pro tem.

In the absence of the mayor, the board of aldermen may choose a chairman *pro tempore*, who shall preside at joint meetings of the two boards.

Each board of keep record, etc.

Each board shall keep a record of its own proceedings and judge of the election of its own members; and in case of failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

Duty of mayor.

SEC. 7.—The mayor, thus chosen and qualified, shall be the chief executive officer of the city; it shall be his duty to be vigilant in causing the laws and regulations of the city to be enforced, and to exercise a general supervision over the conduct of all subordinate officers, and to cause their neglect of duty to be punished; he may call special meetings of the board of aldermen and common council, or either of them, when necessary in his opinion, by causing notices, in writing, to be left at the places of residence of the several members; he shall communicate from time to time, to both of them, such information, and recommend such measures, as in his opinion, the interests o the city may require; he shall preside in the board of alder-

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men, and in convention of the two boards, but shall have a casting vote only. His salary for the first year under this charter shall be five hundred dollars, and no more. He shall afterwards receive for his services such salary as the city council shall determine, and shall receive no other compensation; but such salary shall not be increased or diminished during the year for which he is chosen.

Compensation.

SEC. 8.—The executive power of the said city generally, and the administration of the police, with all the power heretofore vested in the selectmen of Lawrence, shall be vested in, and may be exercised by the mayor and aldermen as fully as if the same were herein specially enumerated. The mayor and aldermen shall have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants, with the powers and duties of constables, and all other police officers, and the same to remove at pleasure. And the mayor and aldermen may require any person who may be appointed marshal or constable of the city, to give bonds for the faithful discharge of the duties of the office, with such security and to such amount as may be deemed reasonable and proper; upon which bonds the like proceedings and remedies may be had as are by law provided in the case of constables' bonds taken by the selectmen of towns.

Executive power of mayor & aldermen.

Bonds required of constables etc.

All other powers now vested in the inhabitants of the said town, and all powers granted by this act, shall be vested in the mayor and aldermen and common council of the said city, to be exercised by concurrent vote, each board to have a negative upon the other: but the city council shall, annually, as soon after their organization as may be convenient, elect by joint ballot, in convention, a city treasurer, collector of taxes, three assessors, and a city clerk, and two

Powers of mayor, aldermen & com. council.

Appointments of certain officers.

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persons to be selected from the members of the board of aldermen to be overseers of the poor, and shall, in such manner as the said city council may determine by any by-law made for the purpose, appoint or elect all subordinate officers, not herein otherwise directed, for the ensuing year, define their duties and fix their compensations in cases where such duties and compensations shall not be defined and fixed by the laws of the Commonwealth.

Sittings public. City property to be safely kept.

All sittings of the mayor and aldermen, of the common council, and of the city council shall be public when they are not engaged in executive business. The city council shall take care that money shall not be paid from the treasury unless granted or appropriated; shall secure a just and prompt accountability, by requiring bonds, with sufficient penalty and sureties from all persons entrusted with the receipt, custody or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold; and to purchase property, real or personal, in the name and for the use of the city, whenever its interests or convenience may in their judgment require it. And the city council shall, as often as once a year, cause to be published, for the use of the inhabitants, a particular account of the receipts and expenditures and a schedule of city property.

Mayor's power to nominate.

Sec. 9.—In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have the exclusive right to nomination, being subject, however, to the confirmation or rejection by the board of aldermen; and no person shall be eligible to any office of emolument, the salary of which is payable out of the city treasury, who, at the time of such appointment, shall be a member of the board of aldermen, or of the common council; *provided however*, that any member of either board may be elected to

Provided.

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serve as mayor whenever a vacancy shall occur in that office, and any two members of the board of aldermen may be chosen overseers of the poor, as hereinbefore provided.

Duty of city clerk.

SEC. 10.—The city clerk shall be clerk of the board of aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen; he shall perform all the duties and exercise all the powers by law incumbent upon or vested in the town clerk of the town of Lawrence.

Overseers of Poor.

SEC. 11.—The qualified voters of each ward, at their respective annual ward meetings, shall elect by ballot one person in their respective wards, who shall be a resident of the ward, to be an overseer of the poor, and the persons thus chosen, together with the mayor and the two aldermen selected by the city council as hereinbefore provided, shall constitute the board of overseers of the poor, and shall have all the powers and be subject to all the duties now by law pertaining to the overseers of the poor of the town of Lawrence.

School committee.

The qualified voters shall, at the same time and in like manner, elect one person in each ward, who shall also be a resident of the ward, to be a member of the school committee, and he shall serve without compensation; and the person so chosen, together with the mayor, who shall be *ex-officio*, chairman of the board, shall constitute the school committee, and have the care and superintendence of the public schools; and the said committee shall appoint from their own number or otherwise, a secretary, to be, under the direction and control of said committee, superintendent of the schools, and the compensation of such secretary shall be determined from year to year by the city council on recommendation of the school committee.

The qualified voters shall, at the same time and in like manner, elect one person in each ward, who shall be a resi-

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dent of the ward, to be an assistant assessor; and it shall be the duty of the person so elected to furnish the assessors with all the needful information relative to the persons and property taxable in their respective wards, and they shall be sworn to the faithful performance of their duty.

Assistant Assessor to be elected.

The persons to be chosen by the city council as assessors, as herein before provided, shall constitute the board of assessors, and shall exercise the same powers and be subject to the same duties and liabilities that the assessors in the several towns in this Commonwealth may exercise or be subject to under existing laws; and they shall be sworn to the faithful performance of their duties. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of the Commonwealth; *provided however*, that the city council may establish further or additional provisions for the collection thereof.

Assessor's Duties.

Taxes, how Assessed, &c.

Sec. 12.—An act establishing the fire department in the town of Lawrence, passed May tenth, in the year eighteen hundred forty-eight, shall continue in force, and all the power and authority now vested in the selectmen of Lawrence, in relation to the fire department in the town, shall be transferred to and vested in the mayor and aldermen.

Fire Department.

Sec. 13.—The list of jurors shall be prepared by the mayor and aldermen, in the same manner as is required in the ninety-fifth chapter of the Revised Statutes, to be done by the selectmen within and for their respective towns; and the lists, when made out, shall be submitted to the common council for concurrent revision or amendment.

List of Jurors.

The mayor and aldermen and the city clerk shall severally have and exercise all the powers and duties with regard to the drawing of jurors in the city, and all other matters

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relating to jurors therein, which are by law required to be performed by the selectmen and town clerk in their respective towns; and all *venires* for jurors to be returned from Lawrence, shall be served on the said mayor and aldermen.

Drawing Jurors.

SEC. 14.—The mayor and aldermen, with the concurrent vote of the common council, shall have exclusive power to lay out, alter or discontinue any street or town way, and to estimate the damage any individual may sustain thereby. And any person dissatisfied with the decision of the city council in the estimate of damages, may make complaint to the county commissioners of the county of Essex at any meeting held within one year, after such decision, whereupon the same proceedings shall be had as are now by law provided in cases where persons are aggrieved by the assessment of damages by the selectmen, in the twenty-fourth chapter of the Revised Statutes.

Power of government in respect to streets.

*SEC. 15.—The mayor and aldermen, with the concurrent vote of the common council, shall have the power to cause drains and common sewers to be laid through any street or private land, paying the owners such damage as they sustain thereby, and to require all persons to pay a reasonable sum for the privilege of opening any drain into such public drain or common sewer.

Power of the city in regard to sewers and drains.

And the city council may make by-laws with suitable penalties, for the inspection, survey, measurement, and sale, of lumber, wood, coal, and bark, brought into the city for sale.

Measurement of wood, coal, etc.

SEC. 16.—All power and authority now vested by law in the board of health for the town of Lawrence, or in the selectmen thereof, shall be transferred to and vested in the city council, to be by them exercised in such manner as they may deem expedient.

Health Officers.

* Amended.



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SEC. 17.—The mayor and aldermen shall, in each year, issue their warrant for calling meetings for the election of the whole number of representatives to the General Court to which the said city is by law entitled, and the number shall be specified in the warrant.

Warrant to elect representatives.

SEC. 18.—All elections for county, state and United States officers, who are voted for by the people, shall be held at meetings of the citizens qualified to vote in such elections in the respective wards, at the time fixed by law for these elections respectively; and at such meetings, all the votes given for such officers respectively, shall be sorted, counted, declared, and registered in open ward meeting, by causing the names of all persons voted for, and the number of votes given for each, to be written in the ward records in words at length. The ward clerk shall forthwith deliver to the city clerk a certified copy of the records of such election. The city clerk shall forthwith record such returns, and the mayor and aldermen shall, within two days after every such election, examine and compare all such returns, and make out a certificate of the result of such elections, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by selectmen of towns. And in all elections for representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by a majority of the votes legally returned, the mayor and aldermen shall forthwith issue their warrant for a new election, comformably to the provisions of the constitution and laws of the Commonwealth.

Meetings for the choice of federal, state & county officers, how held.

SEC. 19.—Prior to every election, the mayor and aldermen shall make out lists of all the citizens of each ward, qualified to vote in such elections, in the manner in which selectmen of towns are required to make out lists of voters; and for that purpose they shall have full

List of Voters.

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access to the assessors' books and lists, and be entitled to the assistance of all assessors and all city officers; and they shall deliver said lists so prepared and corrected to the clerks of the said wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such list; *pvovided*, that any person whose name shall not be borne on the list of the ward in which he is entitled to vote, when it shall be placed in the hands of the clerk of said ward, shall have the right to have his name entered thereon at any time thereafter and before the closing of the polls, upon presenting to the ward officers a certificate signed by the mayor, or city clerk, by order of the board of aldermen, setting forth his right to have his name thus entered.

Citizens Meeting.

SEC. 20.—General meetings of the citizens qualified to vote may, from time to time be held to consult upon the public good, to give instruction to their representatives, and to take all lawful measures to obtain redress from grievances, according to the right secured to the people by the constitution of this Commonwealth. And such meetings may and shall be duly warned by the mayor and aldermen, upon the requisition of fifty qualified voters.

City Council make by-laws, etc.

SEC. 21.—The city council shall have power to make all such salutary and needful by-laws, as towns, by the laws of this Commonwealth, have power to make and establish, and annex penalties, not exceeding twenty dollars for the breach thereof; which by-laws shall take effect and be in force from and after the time therein respectively limited, without the sanction of any court or other authority whatever; *provided however*, that all laws and regulations now in force in the town of Lawrence shall, until they expire by their own limitation, or be revised or repealed by the city council, remain in force, and all fines and forfeitures for the breach of any by-law or ordinance shall be paid into the city treasury.

SEC. 22.—All fines, forfeitures, and penalties, accruing for

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the breach of any by-law of the city of Lawrence, or of any of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before the Police Court of the said City of Lawrence, by complaint or information, in the same manner in which other criminal offences are now prosecuted before the Police Courts within this Commonwealth; reserving however, in all cases, to the party complained of and prosecuted, the right of appeal to the Court of Common Pleas, then next to be holden in the county of Essex, from the judgment and sentence of the Police Court. And the appeal shall be allowed on the same terms, and the proceedings shall be conducted therein in the same manner as provided in the one-hundred and thirty-eighth chapter of the Revised Statutes of this Commonwealth. And it shall be sufficient in all such prosecutions, to set forth in the complaint the offence fully, plainly, substantially, and formally; and it shall not be necessary to set forth such by-law, ordinance, or order, or any part thereof. All fines, forfeitures, and penalties, so recovered and paid shall be paid to the treasurer of the city of Lawrence, and shall enure to such use as the said city council shall direct. When any person, upon any conviction before the Police Court for any breach of any by-law of said city of Lawrence, or any ordinances of the city council, or any of the orders of the mayor and aldermen, shall be sentenced to pay a fine, or ordered to pay any penalty or forfeiture provided by any such by-law, ordinance, or order; or upon claiming an appeal, shall fail to recognize for his appearance at the court appealed to, and there to prosecute his appeal, and to abide the sentence or order of the court thereon, and in the mean time to keep the peace and be of good behavior, and upon not paying the fine, penalty or forfeiture, and costs so assessed upon him, he

Fines for breach of by laws, how to be recovered.

Right of Appeal.

Complaint how set forth.

Fines to be paid to city treasurer.

Refusing to pay how punished.

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shall be committed to prison. there to remain until he shall pay such fine, forfeiture, or penalty, and cost, or be otherwise discharged according to law.

Applies to town by-laws.

The provisions of this section shall also apply to all prosecutions founded on the by-laws or ordinances of the town of Lawrence, which may continue in force after this act shall go into operation, and all the powers of the Police Court, already established, shall be continued to it.

First organizing city government.

SEC. 23.—For the purpose of organizing the system of government hereby established, and putting the same into operation, in the first instance, the selectmen of the town of Lawrance, for the time being, shall, within thirty days after the acceptance of this act, issue their warrant, seven days at least previous to the day so appointed, for calling meetings of the said citizens, at such places and hour as they may deem expedient, for the purpose of choosing a warden, clerk, and inspectors for each ward, and all other officers whose election is provided for in the preceding sections of this act; and the transcripts of the records of each ward specifying the votes for the several officers aforesaid, certified by the warden and clerk of each ward at such first meeting, shall be returned to said selectmen, whose duty it shall be to examine and compare the same, and, in case the said election shall not be completed at the first meeting, then to issue new warrants until such election shall be completed, and to give notice thereof, in the manner hereinbefore provided, to the several persons elected.

Any citizen may call the meeting to order.

And at said first meeting, any inhabitant of said ward being a legal voter, may call the citizens to order, and preside until a warden shall have been chosen. And at said first meeting a list of voters in each ward, prepared and corrected by the selectmen for the time being, shall be delivered to the clerk of each ward, when elected, to be used as hereinbefore provided.

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And the selectmen shall appoint such time for the first meeting of the city council as they may judge proper, after the choice of the city officers as aforesaid, or a majority of the members of both branches, in the year one thousand eight hundred and fifty-three, and shall also fix upon the place and hour of the said first meeting, and a written notice thereof shall be sent by said selectmen to the place of abode of each of the city officers chosen as provided in this section.

Subsequent organization.

And after this first election of city officers, and this first meeting for the organization of the city council as in this section is provided, the day of holding the annual elections, and the day and hour for the meeting of the city council for the purpose of organization, shall remain as provided in the sixth section of this act. And it shall be the duty of the city council, immediately after the first organization, to elect all necessary city officers, who shall hold their offices, respectively, until others are chosen and qualified.

Annual town meeting suspended.

SEC. 24.—The annual town meeting of the town of Lawrence, which by law is to be held in March or April, is hereby suspended, and all town officers now in office shall hold their places until this act shall take effect and their successors are chosen and qualified.

Proceedings in case of non-acceptance of this charter.

And in case this act shall not be accepted as hereinafter provided, the selectmen shall issue their warrant according to law, for holding the annual town meeting of the inhabitants, in which all the proceedings shall be the same as if this act had not been passed. The warrant for calling the said town meeting shall be issued within seven days of the rejection of this act, provided the same shall not be accepted.

Delivery of records, etc.

SEC. 25.—All officers of the town of Lawrence, having the care and custody of any records, papers, or muniments of property belonging to said town,

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shall deliver the same to the city clerk, within one week after his entering upon the duties of his office.

Inconsistent acts repealed.

SEC. 26.—All such acts, and parts of acts, as are inconsistent with the provisions of this act, shall be and the same are hereby repealed.

Legislature may amend.

SEC. 27.—Nothing in this act contained shall be so construed as to prevent the legislature from altering or amending the same whenever they shall deem it expedient.

Acts to be void unless adopted by inhabitants.

SEC. 28.—This act shall be void unless the inhabitants of the town of Lawrence, at a legal meeting, called for that purpose, at which the selectmen shall preside, and the check list be used in the same manner as at meetings called to choose state officers, and the polls kept open at least six hours, shall by a vote of the majority of the voters present, and voting thereon, yea or nay, by a written ballot, determine to adopt the same within twenty days from and after its passage.

SEC. 29.—This act shall go into operation from and after its passage.

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# AN ACT TO AMEND THE CITY CHARTER.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SEC. 1.—The charter of the city of Lawrence is so far amended, that the treasurer and collector thereof may enter upon the duties of their offices on the first day of March in each year.

SEC. 2.—All that part of the fifteenth section of the charter of said city, which is in the following words: "and to require all persons to pay a reasonable sum for the privilege of opening any drain into such public drain or common sewer," is hereby repealed; but all assessments heretofore made, or now in process of making, are hereby ratified and confirmed.

SEC. 3.—This act shall take effect from and after its passage.

[*Approved by the Governor, April* 10, 1855.]

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# CITY OF LAWRENCE.

AN ACT TO SET OFF A PART OF THE TOWN OF METHUEN AND ANNEX THE SAME TO THE CITY OF LAWRENCE.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:*

SEC. 1.—So much of the town of Methuen, in the county of Essex, as lies within the following described limits, namely, beginning at the point of intersection of the Londonderry turnpike, (so called,) and the northerly line of the city of Lawrence, near the house of Abiel Stevens; thence running north, sixty-one degrees east, to the easterly line of school district number four in said Methuen; thence running south, seventy-nine degrees east, in a straight line crossing the road north of the house of Isaac B. Cobb, to the Merrimack River; thence running by said river to the north-easterly line of said Lawrence; thence following the northerly and easterly line of said Lawrence, to the point first begun at, with all the inhabitants and estates thereon, — is hereby set off from the town of Methuen and annexed to the city of Lawrence; *provided, however,* that for the purpose of electing representatives to the general court, to which the said town of Methuen is entitled, until the next decennial census shall be taken, in pursuance of the thirteenth article of amendment to the constitution, the said territory shall remain and continue to be a part of the town of Methuen; and the inhabitants resident therein shall be entitled to vote in the choice of such representatives, and shall

Part of Methuen to be set off.



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be eligible to the office of representative in the town of Methuen, in the same manner as if this act had not been passed.

Taxes, etc.

SEC. 2.—The said inhabitants and estates so set off shall be liable to pay all taxes that have been legally assessed on them by the town of Methuen in the same manner as if this act had not been passed. And until the next general valuation of estates in this Commonwealth, the city of Lawrence shall annually pay over to the said town of Methuen the proportion of any state or county tax which the said town of Methuen may have to pay, upon the inhabitants or estates hereby set off.

Paupers, how supported.

SEC. 3.—If any persons who have heretofore gained a legal settlement in the town of Methuen, by reason of residence on the territory set off as aforesaid, or by having been proprietors thereof or who may derive such settlement from any such resident or proprietor, shall stand in need of relief or support as paupers, they shall be relieved and supported by the said city of Lawrence in the same manner as if they had gained a legal settlement in that town.

List of voters.

SEC. 4.—The mayor and aldermen of the city of Lawrence shall, annually, fourteen days at least before the second Monday of November, furnish to the selectmen of Methuen a correct list, so far as may be ascertained from the records of the city of Lawrence or any of its officers, of all persons resident on the territory hereby set off, who shall be entitled to vote for representatives as aforesaid in Methuen.

School Districts.

SEC. 5.—The said town of Methuen is hereby authorized to change the line of any school district, if they shall deem it expedient by reason of the change of line in said town hereby made.

SEC. 6.—This act shall take effect from and after its passage.

[*Approved by the Governor, April* 4, 1854.]

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# REVISION OF WARD BOUNDARIES.

Ward One. All that portion of the city, north of the Merrimack River, and east of the line northerly, through Newbury street to Meadow street, thence through Meadow street to the bridge over the Spicket River on the Haverhill road, thence through the Haverhill road to the Methuen road, thence through the Methuen road over Graves' or Clover Hill, to the City line, shall be one ward, and known as Ward One.

Ward Two. All that portion of the City west of said line, and east of a line drawn northerly from the Merrimack River through Lawrence street to the city line, shall be one Ward, and known as ward Two.

Ward Three. All that portion of the City west of said line through Lawrence street, and east of a line drawn through Hampshire street, northerly from the Merrimack River to Haverhill street, thence easterly through Haverhill street to White street, thence northerly through White street to the Spicket River, thence through the center of the Spicket River, easterly to the bridge over said river on Lawrence street, shall be one ward, and known as Ward Three.

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Ward Four. All that portion of the city west of said line, through Hampshire, Haverhill, and White streets and the Spicket River, to Lawrence street, and through Lawrence street northerly to the City line, and east of a line drawn through Turnpike street northerly from the Merrimack River to the City line, shall be one ward, and known as Ward Four.

[Adopted July, 1856.]

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# STATE LAWS.

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# STATE LAWS.

## GENERAL STATUTES—CHAPTER XLIII.

### DEDICATION OF WAYS.

SEC. 84.—In cities in which the council, and in towns in which the inhabitants at a legal meeting, have accepted the provisions of this and the two following sections, if a street or way has been or shall be opened over private land by the owner thereof, and permitted to be used by the public before the same has been accepted and laid out according to law, the owners of the lots abutting thereon shall grade such street or way at their own expense, in such manner as the safety and convenience of the public shall in the opinion of the mayor and aldermen or selectmen require. If the owners of such abutting lots, after reasonable notice from the mayor and aldermen or selectmen, neglect or refuse so to do, or to close the street from public use, the mayor and aldermen or selectmen may cause the same to be graded, and after due notice to the parties interested shall assess the expense thereof upon the owners in such proportion as shall be judged reasonable. All assessments so made shall be a lien upon the abutting lands in the same manner as taxes are a lien upon real estate.

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SEC. 85.—The mayor and aldermen or selectmen may fix and establish the grade of a street or way so opened and used, and cause a plan of such grade to be deposited in the office of the city or town clerk. And all persons making improvements upon the lots abutting thereon, after the grade has been established and recorded, shall conform to the grade. But nothing contained in this and the preceding section shall affect any agreements heretofore made respecting such streets or ways, between the owners of lots and the city or town.

SEC. 86.—The grading of such street or way by the owners of the land in pursuance of the notice by the mayor and aldermen or selectmen, shall not be construed to be a dedication of the same to the public use, nor shall the establishment and record of the grade, or the grading thereof by the mayor and aldermen or selectmen, constitute an acceptance of the same by the city or town. But no such street or way shall be dug up or obstructed without the consent of the mayor and aldermen or selectmen.

[ADOPTED JANUARY 30, A. D. 1862.]

Statutes 1853, Chap. 315, accepted March, 1854.

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## GENERAL STATUTES—CHAPTER XLV.

### SIDEWALKS.

SEC. 7.—In cities in which the city council, and in towns in which the inhabitants, have adopted the provisions of this and the following section, the mayor and aldermen or selectmen may establish and grade sidewalks in such streets as in their judgment the public convenience may require, and may assess the abuttors on such sidewalks one-half the expense of the same, the residue being paid by such city or town. All assessments so made shall be a lien upon the abutting lands in the same manner as taxes are a lien upon real estate.

SEC. 8.—No sidewalk constructed or graded in a city or town shall be dug up or obstructed in any part thereof, without the consent of the mayor and aldermen of the city, or of the selectmen of the town, in which such sidewalk is established.

[ADOPTED JANUARY 30, 1862.]

Statutes of 1855, Chap. 43, accepted December 4, 1855.



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## GENERAL STATUTES—CHAPTER XIX.

### CERTAIN POWERS AND DUTIES OF CITIES.

SEC. 6.—If, at or after the time for the mayor and aldermen of a city to enter upon the discharge of their duties, it appears that the mayor or the full number of aldermen are not elected, such of said officers as are elected shall issue warrants for the election of a mayor or such aldermen as may be necessary. If neither of said officers is elected, the president of the common council shall issue such warrants.

SEC. 7.—If by reason of non-election there is no mayor of a city, the chairman of the board of aldermen shall discharge the duties of the office until a mayor is chosen and sworn.

SEC. 8.—When it appears to the mayor and aldermen, that there is a vacancy either in their board, the common council, or any city or ward office, to be filled by popular election, they shall issue their warrant for elections to fill such vacancy at such time and place as they deem advisable.

SEC. 9.—Ward officers authorized to act at elections, shall attend and perform their respective duties at the times and places appointed for elections of officers, whether of the United States, state, city, or wards, and shall make and sign the regular returns of the same. If a ward officer is absent from a meeting, the office may be filled, *pro tempore*, by the voters present, by nomination and hand vote if they so determine.

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SEC. 10.—City officers who were residents of the ward at the time of their election, shall discharge the duties of their offices notwithstanding their removal afterwards into any other ward of the city.

SEC. 11.—The five preceding sections shall be in force in those cities only which have adopted chapter two hundred and seventeen of the statutes of eighteen hundred and forty-five, or which shall adopt said sections.

SEC. 12.—The mayor and any aldermen or member of the common council of a city which has adopted chapter seventy of the statutes of eighteen hundred and fifty-one, or which shall adopt this section, may at the same time hold any other office under the city government to which he may be chosen, except one of emolument.

[ADOPTED JANUARY 30, 1862.]

Statutes 1845, Chap. 217, accepted June 4, 1858.

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# CITY ORDINANCES.

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# CITY ORDINANCES.

## NO. I.

## AN ORDINANCE

### CONCERNING CITY ORDINANCES.

*Be it ordained by the City Council of the City of Lawrence, as follows:—*

SEC. 1.—All By-Laws passed by the City Council shall be termed ordinances, and the enacting style shall be "Be it ordained by the City Council of the City of Lawrence, as follows:"

SEC. 2.—All ordinances shall be recorded by the City Clerk in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book to be kept for that purpose, made of strong linen paper, with proper margin and index, and strongly bound, to be lettered Record of Ordinances of the City of Lawrence, which book shall be preserved in the office of the city clerk, subject to the inspection of the citizens.

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SEC. 3.—All ordinances, and also any orders of the Mayor and Aldermen, which the mayor may deem advisable, shall be promulgated by causing the same to be inserted, at least once, in each paper published in the city; and the mayor may, in his discretion, cause any such ordinance or order to be printed separately for distribution among the citizens.

[Passed May 12, 1853.]

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NO. II.

## AN ORDINANCE

CONCERNING THE FORM OF WARRANTS, AND MANNER OF SERVING.

*Be it ordained by the City Council of the City of Lawrence, as follows :—*

SEC. 1.—The form of warrants for calling meetings of the citizens of the several wards shall be as follows :—

CITY OF LAWRENCE.

*To either of the Constables of said City,* — Greeting.

In the name of the Commonwealth of Massachusetts you are required forthwith to warn the citizens of Ward No....., qualified to vote as the law directs, to assemble at ..... on ..... the ..... day of..... at ..... o'clock in the forenoon, then and there to give in their ballots for .....
Hereof fail not and have you there this warrant with your doings thereon.

Witness ..... Mayor of said City of Lawrence,
SEAL. this ..... day of ..... in the year of our Lord one thousand eight hundred and .....

By order of the Mayor and Aldermen,

....., City Clerk.

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SEC. 2.—The form of warrant for calling general meetings of the citizens, shall be as follows, viz:

CITY OF LAWRENCE.

*To either of the Constables of said City,* — Greeting.

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the citizens of Lawrence qualified to vote as the law directs, to assemble in general meeting at the City Hall on ..... the ..... day of ..... at ..... o'clock, then and there to ..... Hereof fail not, and have you there this warrant with your doings thereon.

Witness ....., Mayor of our City of Lawrence,
SEAL. this ..... day of ..... in the year of our Lord one thousand eight hundred and .....

By order of the Mayor and Aldermen,

....., City Clerk.

SEC. 3.—All warrants, whether calling general meetings or meetings of the several wards, shall be issued by the mayor and aldermen four days at least before the holding of the same; they shall be signed by the city clerk, and they shall be served by either constable of the city, by leaving a copy thereof at the residence of each citizen qualified to vote at the meetings called thereby, by posting thereof in a suitable public place, or by publishing the same in one or more of the newspapers of the city, as the mayor and aldermen may direct. And the constable to whom any warrant may be delivered for service, shall seasonably return the same with his doings thereon, to the mayor and aldermen, if it be for a general meeting, otherwise to the warden of the ward named therein.

SEC. 4.—It shall be the duty of the mayor and aldermen to fix the time when the poll shall be opened and closed, in the election of all officers, except ward officers, and to insert the same in the warrant for the meeting.

[Passed May 12, 1853.]



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## NO. III.

## AN ORDINANCE

PRESCRIBING THE MODE OF APPOINTING CERTAIN CITY OFFICERS.

*Be it ordained by the City Council of the City of Lawrence:*

The mode of electing all city officers for which provision is not otherwise made, either by the laws of the Commonwealth, or by some other ordinance of the city, shall be as follows, to wit: They shall first be elected by the Mayor and Aldermen, and sent down to the Common Council for its concurrence, rejection or amendment.

[Passed May 12, 1853.]

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## NO. IV.

## AN ORDINANCE

AUTHORIZING THE APPOINTMENT AND PRESCRIBING THE DUTIES OF THE CITY MARSHAL AND ASSISTANTS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The Mayor and Aldermen shall forthwith and hereafter annually, in the month of January or February, appoint a City Marshal, who shall receive such compensation for his services as the City Council shall direct.

SEC. 2.—Said city marshal shall be appointed to the office of constable, and he shall have precedence and command over the other constables whenever engaged in the same service, or when directed thereto by the mayor and aldermen. And the said city marshal, before entering upon the duties of his office, shall be sworn to the faithful performance of the duties thereof by the mayor. He shall also give bonds in a sum not less than five hundred dollars, with sufficient sureties to be approved by the mayor and aldermen, for the faithful performance of the duties of said office.

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SEC. 3.—The said city marshal may employ an assistant or assistants, not exceeding two, to be approved by the mayor and aldermen, and to be selected from the constables of the city. And the said assistant or assistants shall have power and authority to assist the city marshal in the execution of his office, or in his absence to officiate in his stead. Said assistants shall receive such reasonable compensation for services rendered as the city council may from time to time allow. The said assistant or assistants shall, if the mayor and aldermen require it, give bonds with sufficient sureties, for the faithful performance of the duties of their office.

SEC. 4.—It shall be the duty of the city marshal and his assistants to pass from time to time through the streets and alleys of the city, with a view to remove by prosecution or otherwise, all nuisances, obstructions, and impediments therein. He shall receive all complaints for any violation of the laws in relation to the city, and of the ordinances and by-laws thereof, and for that purpose shall attend daily, at some stated time, in one of the public offices of the city, to be designated by the mayor. He shall prosecute all offenders against such laws, ordinances and by-laws, as soon as may be, and shall take all proper measures to enforce and carry into effect all and every section of the city ordinances and by-laws. He shall obey and execute all the orders and commands of the mayor and aldermen in relation to any matter or thing concerning the city, and shall comply with all such regulations as may by them at any time be prescribed. He shall keep a correct record of the doings of his office, and shall make a regular report thereof to the city council once in three months, and at such other times as they shall require, which report shall contain an exact account of all fees received by him or his assistants for services of process either civil or criminal, and of all other fees which he or they may have received, or to which he or they may be entitled as executive officers, complainants, witnesses or otherwise. He

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shall lay before the mayor and aldermen a correct statement of all prosecutions by him instituted in behalf of the city, or in which the city is in any way concerned, within one week after their final determination respectively. The city marshal shall receive, collect, and pay over to the treasurer of the city all fines and penalties incurred for a violation of its by-laws and ordinances.

SEC. 5.—The mayor and aldermen may, at any time, by vote, remove from the office the city marshal or either of his assistants, and thereupon, or in case of his or their death or resignation, proceed to appoint a successor or successors for the residue of the year.

[Passed May 12, 1853.]

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NO. V.

## AN ORDINANCE

ESTABLISHING THE OFFICE OF COMMISSIONER OF STREETS AND DEFINING THE DUTIES THEREOF.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall annually be appointed by the City Council in convention, by ballot, an able and discreet person to be styled the Commissioner of Streets, who shall also be the surveyor of highways, required by law to be chosen, and who shall continue in office until removal, or until a successor be appointed and sworn to the faithful performance of his duty. He shall receive such compensation for his services as the city council shall establish, and shall be removable at their pleasure; and in case said office shall become vacant by death, resignation, or otherwise, a successor shall be appointed in the manner prescribed.

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SEC. 2.—It shall be the duty of the commissioner of streets, under the general care and supervision of the mayor and aldermen, to superintend the general state of the streets, roads, sidewalks, lanes, bridges, public walks, and squares of the city, except the common; to attend to the making, widening, or alteration of the same, to cause the same to be kept in good, sufficient, and suitable repair, and to make all contracts for labor and materials that may be necessary; to superintend the building and repair of any drains or sewers for the city, and to make all necessary contracts for the same; such contracts to be in all cases subject to the approval of the mayor and aldermen. He shall also make all necessary arrangements for keeping the streets clean and in good order, and he shall give notice to the mayor or city marshal, in case of any nuisance, obstruction or encroachment in or upon any of the streets, roads, sidewalks, bridges, public walks or squares of the city.

SEC. 3.—The commissioner of streets may make such arrangements with the Overseers of the Poor, for the purpose of procuring labor and materials in the discharge of his duty aforesaid, as the interest of the city may require.

[Passed May 12, 1853.]

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## NO. VI.

## AN ORDINANCE

### ESTABLISHING THE OFFICE OF CITY MESSENGER.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall forthwith and hereafter, in the month of January, annually be elected by the Board of Aldermen, and sent down for its concurrence to the Common Council, a suitable person to be styled City Messenger, who shall re-

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ceive, deliver, and execute all notifications, summonses and precepts issued by the mayor, the president of the common council, or either branch thereof, or by any committee of the same, and make due return thereof. He shall prepare and arrange the rooms in which the city council shall hold their sessions, and attend on both branches when in session, or on either when in session separately, and under the direction of the proper committees or officers, provide fuel, lights, and other things necessary for the accommodation of both branches of the city council, or any committee thereof. He shall receive and deliver all notifications to officers elected by the city council, by the mayor and aldermen, or at ward meetings, and shall deliver all notifications to committees upon the request of the city clerk, the clerk of the common council or chairman of any committee. He shall have the superintendence of the city hall, and the adjoining rooms, and see that they are kept in good condition. He shall also prepare the rooms selected for ward meetings, and have the same put in good order after said meetings are adjourned, and he shall at all times be subject to such further orders and regulations as the city council may make. He shall receive for his services such compensation as the city council shall annually, or from time to time allow.

[Passed May 12, 1853.]

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## NO. VII.

## AN ORDINANCE

### ESTABLISHING A SYSTEM OF ACCOUNTABILITY IN THE EXPENDITURES OF THE CITY.

[Passed May 13, 1853. Repealed by Ordinances Nos. 34 and 37.]

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## NO. VIII.

## AN ORDINANCE

### CONCERNING THE ASSESSMENT AND COLLECTION OF TAXES.

[Passed May 13, 1853. Repealed by Ordinance No. 24.]

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## NO. IX.

## AN ORDINANCE

### FOR THE PREVENTION OF CERTAIN ACTS IN THE STREETS OF LAWRENCE.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No person, except a surveyor of highways, or other person acting under the authority of the Legislature, or of the City Council, shall break or dig up the ground or stones in any street or other way of the city, or erect any staging for building, or deposite any stones, bricks, timber, or other building materials thereon, without license first had and obtained from the mayor and aldermen who are authorized to grant the same on such conditions as they may deem safe and proper.

SEC. 2.—No person shall make, erect or maintain, any doorstep, porch, entrance, or passage-way to any cellar or basement, or any other structure in or upon any street or other way of the city, without permission in writing from the mayor and aldermen, who shall judge of the propriety of granting the same.

SEC. 3.—No person shall suffer his well, cistern or drain to remain open or uncovered, in any street or other way of the city, without a sufficient curb-guard or fence thereto.

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SEC. 4.—No person shall dig or sink any excavation of the earth, or suffer any excavation to exist on his own premises, adjoining or near to any street or way, without a railing or fence, after being notified in writing by the mayor and aldermen that such fence or railing is required for the safety of passers by.

SEC. 5.—No person shall continue any carriage or other vehicle of any description, with or without horses or other animals attached thereto, in any street or way, so as to obstruct the same, after having been requested by any person having occasion to use said street or way, or after having been ordered by the mayor or city marshal or any one authorized by the city to remove the same.

SEC. 6.—No person shall drive, draw, or pass any cart, barrow, sled, or other such object, on any sidewalk of this city, to the obstruction of any passenger, except children's carriages drawn by hand; nor permit any horse or other draught animal, or any cow to pass thereon while under his care; nor occupy, encumber, or obstruct any street by means of boxes, crates, casks, barrels or other things, or in any other way hinder or obstruct the convenient use of the streets and other ways by all passengers.

SEC. 7.—No person shall stop his team or carriage, or place any other obstruction on or across any flag stones or other foot ways which have been or shall be laid in any street or way of the city.

SEC. 8.—No person shall ride any horse, or drive any horse attached to any carriage, in any street or way at an immoderate pace; and every person riding or driving a horse in any street or way, shall conduct the same with reasonable care and prudence, so as not to endanger the public safety.

SEC. 9.—No person shall put or place, or cause to be put or placed in or upon any street, way or other public place of

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the city, any house dirt, ashes, shavings, offal, filth, suds, or any rubbish or like object whatever, except in such place and manner as the mayor and aldermen may prescribe.

SEC. 10.—No person shall suffer his coal or firewood to remain unnecessarily in or upon any street or other way; and no person shall saw or pile wood, or stand a saw horse on any sidewalk to the hindrance or obstruction of any foot passenger.

SEC. 11.—No person shall move or assist in moving any building whatever through any street or way, unless by written permission of the mayor and aldermen, under such restrictions as they may see fit to prescribe.

SEC. 12.—No person shall swim or bathe in any of the waters within or adjoining the city, so as to be exposed to the view of spectators, from any street, lane, or building, or to unnecessarily annoy the occupants of neighboring dwelling houses.

SEC. 13.—No person shall expose for use any implements of gambling in any public place of the city, nor gamble in any such place.

SEC. 14.—No person shall place or maintain any stable, stall, booth or other erection, in any public place for any sale or exhibition, without permission of the mayor and aldermen.

SEC. 15.—No person shall fire any rocket, squib, crackers or other thing, formed of gunpowder, or other explosive substances, in whole or in part, nor make any bonfire of tar barrels, or any other object; nor except in the performance of some duty authorized by law, discharge any field piece, gun, or other fire arms, in or upon any street, or other way within the compactly settled part of the city.

SEC. 16.—No person shall behave himself in a rude or disorderly manner, nor use profane or insulting language, nor designedly frighten any horse, nor within the compactly settled part of the city, shoot with bows and arrows, play at



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ball, coast on sleds, fly kites, throw stones or other missiles in any street or other public place, nor be on any sidewalk, doorstep, fence or porch, to the annoyance of other persons.

SEC. 17.—No person shall make indecent figures, or write indecent words upon any fence, building, post, tree or other object, or otherwise deface or injure the same.

SEC. 18.—No person shall place or establish, or maintain any awning or shade before his place of business, or dwelling house, over any part of any street or sidewalk, unless the same be safely fixed and supported, so as in no wise to incommode or endanger passengers; and so that the lowest part of such awning or shade shall be at least eight feet in height above the sidewalk or street; and said awning or shade, if built over a sidewalk, shall extend to the outside edge thereof, and no farther.

SEC. 19.—No person shall remove or erect any post, or change the grade of any street or sidewalk, or the direction of any curb-stone thereof without permission of the mayor and aldermen.

SEC. 20.—No horse shall be turned out loose, and no horse, swine, goat or cow, or other cattle, shall be suffered to graze or go at large within the city.

SEC. 21.—No persons shall remain collected on any sidewalk, or in front of any church, dwelling house or other building, so as to obstruct passage along the same, or to impede or annoy other persons.

SEC. 22.—Any person offending against any of the provisions of this ordinance, shall forfeit and pay for each offence a fine of not less than one dollar, nor more then twenty; provided that the complaint for such offence be instituted within six months from the time of its commission.

SEC. 23.—All by-laws of the town of Lawrence inconsistent with the provisions of the foregoing ordinance, are hereby repealed.

[Passed June 6, 1853.]

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NO. X.

## AN ORDINANCE

TO ESTABLISH A BOARD OF HEALTH, AND TO PRESCRIBE REGULATIONS CONCERNING THE SAME.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The Mayor and Aldermen of the city are hereby constituted a board of health, in and for the same, with full power to provide for accidents, contagion or infection, remove nuisances or other causes of disease or impurity of air; and generally to possess the powers and perform the duties of boards of health, as defined by the laws of the Commonwealth, except that the city physician shall be appointed annually by the concurrent vote of the two boards of the city council.

SEC. 2.—Any place of deposit for house, shop, or other rubbish or refuse matter, and any drain, privy or vault in any part of the city which shall appear to the board of health to be unfit, insufficient, or not properly situated, constructed or cleansed, and any cellar or vacant ground, and any hog pen, or deposite of manure in the compact part of the city, may in the discretion of said board be declared and deemed a public nuisance, and as such be held subject to all the provisions concerning the removal or abatement of the same, provided by the general laws of the Commonwealth.

SEC. 3.—No vault or privy shall hereafter be constructed so that the inside thereof shall be less than three feet distant from the land of an adjoining proprietor, without his consent, nor less than three feet from any public street or way, nor less than two feet from any passage way in the rear of the streets, — and if constructed at a less distance in either case, the same shall be deemed a public nuisance, and treated as such.

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SEC. 4.—Whenever the mayor and aldermen shall find that the number of persons occupying any tenement is so great, or the drain, privy or vault connected therewith so insufficient, as to be the cause of nuisance or sickness, or a source of filth, the board may cause all or any person occupying such tenement to be removed therefrom, first giving them notice in writing to remove, and allowing them the space of at least forty-eight hours in which to comply with said notice.

SEC. 5.—No vault shall be opened without permission of the city marshal, nor in any other mode nor at any other time than such as the mayor and aldermen may direct.

SEC. 6.—Whenever it shall appear to the mayor and aldermen that any cellar, lot or vacant land is in a state of nuisance, or so situated that it may probably become dangerous to the public health, they shall give notice in writing to the owner or his agent, requiring that the same be drained, filled up, or otherwise prevented from becoming or remaining a cause of nuisance or sickness, within such time as they shall appoint, provided that notice to non-resident or unknown owners may be given by advertising in some public newspaper published in Lawrence. And in case the said requisition be not complied with, the board may cause the said work to be done, and shall charge all reasonable expenses incurred in so doing, to the several owners or parties occupying such cellar, lot or vacant land.

SEC. 7.—No person shall remove or carry through any street, alley or public place in the city, any house dirt, offal, filth, rubbish or waste matter of any kind, from any dwelling house or other place, unless the person removing the same, and the cart or other conveyance in which the same be carried, shall be licensed for such purpose by the mayor and aldermen, or the same be done by the commissioner of streets, under directions from the mayor and aldermen.

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SEC. 8.—No person shall cast any dead animal substance into any street, nor into any of the canals or waters within or adjoining the city, nor cause any animal to be drowned in said canals or waters.

SEC. 9.—No person shall bring into the city for sale, nor offer for sale any deceased, unwholesome, stale or putrid meat, fish or other article of provisions, nor any fish except salmon and shad, and except smelts and other small fish, that shall not first have been cleansed of their entrails and refuse parts.

SEC. 10.—All house dirt, rubbish, filth and waste matter that may be collected in any house or warehouse, or on private property in the city, shall, if the city marshal, with the approbation of the mayor and aldermen, so order, be carried away therefrom by and at the expense of the owner and occupant of such house, warehouse or other private property, and removed to such place as may be directed by the marshal as aforesaid, within twenty-four hours after such order. And the city marshal, when thereto ordered by the mayor and aldermen, shall at any time between sunrise and sunset enter into any building or other place in the city, for the purpose of examining into, destroying, removing or preventing any nuisance, source of filth or cause of sickness therein. And in case such entrance be opposed, he shall make known such opposition to the mayor and aldermen, in order that a warrant may be obtained to enforce the same, as provided by law.

SEC. 11.—All persons who shall offend against any of the provisions of the fifth, seventh, eighth and ninth sections of this chapter, shall forfeit and pay for each offence a fine of not less than one dollar, nor more than twenty dollars.

SEC. 12.—It shall be the duty of the city physician to attend, under the general direction of the overseers of the poor, upon all sick paupers and patients under the care of the city authorities at the poor house or elsewhere, and to

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render all the services by law incumbent upon physicians appointed by board of health.

In case of an alarm of any infectious or contagious disease, to give to either branch of the city council, or any committee thereof, all such professional advice and counsel as they may request of him; to vaccinate all scholars of the public schools that may be sent to him by the school committee for that purpose, and generally to perform such other professional services as may reasonably be required of him by the mayor and aldermen or the city council.

SEC. 13.—All by-laws of the town of Lawrence, inconsistent with the provisions of the foregoing ordinance, are hereby repealed.

[Passed June 6, 1853.]

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## NO. XI.

## AN ORDINANCE

### CONCERNING DOGS.

[Passed Aug. 29, 1853. Repealed by Ordinance. Annulled by General Statutes, Chap. 88. Sections from 52 to 68 inclusive.]

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## NO. XII.

## AN ORDINANCE

### CONCERNING THE ADMEASUREMENT AND SALE OF WOOD AND BARK.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall be appointed annually, and at other times when occasion requires, such number of persons as the City Council may decide, to be measurers of wood and bark;

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any of whom shall be subject to be removed by the mayor and aldermen when it shall appear to them that he is negligent or unfaithful in his office.

SEC. 2.—The fees for measuring each load of wood or bark and for the ticket, not exceeding two cords, shall be six cents; over two cords and not exceeding ten, four cents per cord; said fees to be paid to the measurer by the seller, and repaid by the purchaser.

SEC. 3.—The mayor and aldermen may, in their discretion, assign and prescribe the places for the measurement and sale of wood and bark brought into the city for sale.

SEC. 4.—Measurers of wood and bark shall use a form of certificate of measurement to be furnished by the city clerk; and they shall annually, on the first Monday in January of each year, file in the office of the city clerk a return of the wood and bark measured by them respectively, during the preceding year.

[Passed Aug. 29, 1853.]

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## NO. XIII.

## AN ORDINANCE

### CONCERNING DEALERS IN SECOND-HAND ARTICLES.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—All licenses which shall be granted by the Mayor and Aldermen of the city to any persons to be keepers of shops for the purchase, sale or barter of junk, old metals, or any second-hand articles, and to be dealers therein, shall contain the following conditions and restrictions:—

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*First,*—That every person at the time of receiving said license, shall pay therefor the sum of one dollar.

*Second,*—That every keeper of such shop put in some suitable place a sign designating that he is licensed as such, and containing his name.

*Third,*—That every keeper of such shop shall at all times furnish to the mayor and aldermen, upon their request, all the information which he may possess in relation to the person from whom, and the time when any such purchase was made by him.

*Fourth,*—That no keeper of such shop shall directly or indirectly, either purchase, or receive by way of barter or exchange, any of the articles aforesaid of any minor or apprentice, knowing or having reason to believe him such.

SEC. 2.—Any person or persons having obtained a license under the provisions of this ordinance, who shall violate any of the conditions thereof, shall, upon conviction thereof, pay a fine of not less than one, nor more than twenty dollars.

[Passed Aug. 29, 1853.]

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## NO. XIV.

## AN ORDINANCE

### PROVIDING FOR THE EXECUTION OF DEEDS IN BEHALF OF THE CITY.

*Be it ordained by the City Council of the City of Lawrence:*

The Mayor is hereby authorized and empowered to affix the seal of the city unto, and to execute and deliver in behalf of the same, all deeds and other legal instruments required by any order of the city council.

[Passed Aug. 29, 1853.]

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## NO. XV.

# AN ORDINANCE

IN RELATION TO THE SALARIES AND COMPENSATION OF CITY OFFICERS.

[Passed November 14, 1853. Repealed by Ordinance No. 35.]

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## NO. XVI.

# AN ORDINANCE

IN RELATION TO MAIN DRAINS AND COMMON SEWERS.

*Be it ordained by the City Council of the City of Lawrence* :

SEC. 1.—The act of the Legislature of Massachusetts in relation to main drains or common sewers, passed March 17, 1841, being Chapter 115 of the Statutes of 1841, is hereby accepted by the City Council of the City of Lawrence, and its provisions are hereby made a part of this ordinance.

SEC. 2.—Every main drain or common sewer hereafter to be constructed under the authority of the city, shall be built of such materials and dimensions and in such manner as the mayor and aldermen may order.

SEC. 3.—Every person who may desire to enter his particular drain into any main drain or common sewer, heretofore built or hereafter to be built, under the authority of the city, may do so on application to and receiving the written consent of the mayor and aldermen ; *provided* such person shall first pay such lawful assessment therefor as may be required of him under the second section of the Statutes of this Commonwealth, referred to in section one of this ordinance ;



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and provided also that in the materials and construction of such particular drain, he shall comply with the directions and conditions that the mayor and aldermen may prescribe.

SEC. 4.—Every person who shall connect his particular drain with any main drain or common sewer aforesaid, without complying with the terms of the last preceding section, shall forfeit and pay the sum of twenty dollars, together with such damages by way of indemnification as the mayor and aldermen shall deem reasonable and just, and he shall be liable to have such particular drain at any time closed up and prevented from entering the main drain or common sewer.

SEC. 5.—The mayor and aldermen shall have power in all cases where there is any common sewer in any street, highway, passageway or alley, to cause every owner of land adjoining such street, highway, passageway or alley, his agent or tenant, to make a sufficient drain from his house, yard or lot, whenever in their opinion the same shall be necessary; and shall thereupon give notice in writing to such owner, agent or tenant, specifying the time within which such drain shall be completed, and in case such owner, agent or tenant, shall neglect to complete the same within the time specified, the mayor and aldermen shall cause the same to be done, and shall recover the whole amount of the expense thereof, together with ten per cent. damages additional, by an action on the case to be brought in the name of the city before any court proper to try the same; *provided*, however, that said additional damages shall in no case exceed twenty dollars.

SEC. 6.—The city clerk shall enter in a book, to be kept for that purpose, all assessments made by the mayor and aldermen, under the second section of the aforesaid act, and shall forthwith make out bills for the same, and deliver them to the city treasurer for collection; and the treasurer shall forthwith demand payment in writing for the said bills, in the manner prescribed by law; and in case any bills or dues

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under this ordinance remain unpaid at the expiration of three months after such demand, the treasurer shall cause the same to be collected by a resort to the proper legal process.

SEC. 7.—The mayor and aldermen shall in no case proceed to construct a common sewer or main drain, until an appropriation to defray the cost of the same shall have been made by the city council.

SEC. 8.—It shall be the duty of the mayor and aldermen whenever any drain or common sewer, or portion of a drain or common sewer, shall have been completed, to cause an accurate plan of the same to be made, showing its material, its section, its line, its level, and its cost per running foot, which plan is to be deposited in the office of the city clerk.

SEC. 9.—It shall be the duty of the mayor and aldermen whenever any drain or common sewer, or portion of a drain or common sewer, built or repaired by the authority of the city, shall have been completed, and the expense thereof ascertained, to proceed to make assessments for defraying the expense of the same, pursuant to the provisions of this ordinance, and in so doing they shall deduct from the said expense such part, and not less than one-third part, as they may deem expedient, to be charged to and be paid by the city, and assess the remainder thereof upon the persons and estates deriving benefit from such drain or common sewer, either by the entry of their particular drains therein, or by any more remote means, and before such assessments shall be made they shall give public notice of their intention so to do, at least seven days previous to the meeting to be held for such purpose, in two or more newspapers published in the city, and all persons interested shall be entitled to be heard at the said meeting in relation thereto.

[Passed Dec. 19, 1853.]

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## NO. XVII.

# AN ORDINANCE

PROVIDING FOR THE APPOINTMENT OF CITY SOLICITOR.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall forthwith, and hereafter annually in the month of January or February, and whenever a vacancy may occur, be chosen by the concurrent vote of both branches of the City Council, a Solicitor for the City of Lawrence, who shall be a resident citizen thereof, an able and discreet person, learned in the law and a practitioner as attorney and counselor at law, in the Courts of the Commonwealth, and who shall not hold any other office under the city government during the period for which he is elected, and he shall be removed at the pleasure of the city council.

SEC. 2.—It shall be the duty of the said city solicitor to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements and other legal instruments of whatsoever nature, which may be required of him by an ordinance or order of the mayor and aldermen, or of the city council, and which, by law, usage or agreement, the city is to be at the expense of drawing.

SEC. 3.—It shall be the duty of the said city solicitor to commence and prosecute all actions and suits to be commenced by the city before any tribunal in this Commonwealth, whether in law or equity; and also to appear in defence, and advocate the rights and interests of the city, or of any of the officers of the city in any suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, rights, privileges, ordinances or acts of the city government, or any breach of any ordinance of the city may be brought in question, and he shall in all matters do all and every professional act incident to the office

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which may be required of him by the city government, or by any joint or special committee thereof. And he shall, when required, furnish the mayor and aldermen, the common council, or any joint or special committee of either branch thereof, and to any officer of the city government who may require in the discharge of his official duties, with his legal opinion, on any subject touching the duties of their respective offices.

SEC. 4.—In full compensation for all the services of said solicitor, he shall receive such salary as the city council may from time to time fix and determine. In all cases, however, he shall be entitled to receive and retain for his own use the legal, taxable costs which may be received of the adverse party when the city shall recover the same according to the usage and practice of the courts.

[Passed Feb. 28, 1854.]

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## NO. XVIII.

## AN ORDINANCE

### RELATING TO COMMON CRIERS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The Mayor and Aldermen, from time to time, may license as Common Criers such number of persons as they may judge to be for the public good; and the licenses so granted shall continue in force until the tenth day of January next after the date of the same; *provided*, however, that the same may at any time be revoked by said board.

SEC. 2.—No person, not licensed as aforesaid, and no person whose license shall have been revoked as aforesaid, shall presume to be a common crier, or to cry any sort of articles,

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lost or found, stolen goods, strays, or public sales in any of the streets or public places in the city, under a penalty of not less than one nor more than twenty dollars for each offence.

SEC. 3.—Every common crier shall keep a list of all matter and things by him cried, and the names of all persons by whom he is employed to cry the same, and shall exhibit said list to the mayor and aldermen whenever thereto required by said board.

SEC. 4.—No person shall publicly cry any indecent, profane, or libelous matter in this city, under a penalty of not less than one nor more than twenty dollars for each offence.

[Passed Feb 28, 1854.]

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## NO. XIX.

## AN ORDINANCE

PROVIDING FOR THE ELECTION OF A SUPERINTENDENT OF BURIALS.

[Passed March 7, 1854. Repealed by Ordinances Nos. 23 and 45.]

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## NO. XX.

## AN ORDINANCE

RELATING TO SIDEWALKS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No side-walk shall be constructed or laid, unless the proposition, petition, or motion for so doing be first referred to a joint committee of the City Council, which com-

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mittee without delay, shall appoint a time and place for meeting and hearing all parties interested therein, and shall give notice thereof in writing to all persons owning any land or building adjoining, or in front of which the sidewalk is proposed to be laid, seven days at least before the time appointed for such hearing. *Provided,* that notice to non-residents or unknown owners may be given by advertisement in two or more of the newspapers published in the city two weeks successively, the last publication to be seven days, at least, before the time appointed for such hearing.

SEC. 2.—At the time and place appointed, and after notice given as above provided, the committee shall meet and hear all parties interested claiming to be heard, and if required, shall proceed to view the premises upon or in front of which such sidewalk is proposed to be laid, and they shall thereafter report to the city council whether the common convenience and necessity require that the same should be laid. And if they report in favor of laying or building such sidewalk, in whole or in part, they shall also report whether the street in which the sidewalk is proposed to be laid, needs to be first widened, straightened, or altered, what portion, if any, of such sidewalk, is in front of vacant lands, and at whose expense such portion ought to be built, the dimensions and materials of such sidewalk, and the names of all persons owning estates adjoining the said sidewalk.

SEC. 3.—After receiving said report, and after the same shall have remained seven days at the office of the city clerk, for inspection by any party interested, the city council may proceed to order a sidewalk to be constructed.

SEC. 4.—Every sidewalk which the city council may order to be constructed, shall be built by the commissioner of streets, or under his direction, of such materials, dimensions, and general description as the city council may have prescribed; and it shall be the duty of said commissioner to keep an exact account of all the expenses and outlays required

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and incurred in building such sidewalk, and he shall report the same in writing, within thirty days from the finishing of the sidewalk, to the city clerk, with the names of the persons owning estates adjoining the sidewalk and chargeable with any part of the expenses. Also, the length of the sidewalk adjoining each estate. And the city clerk, on receiving such report, shall immediately give notice in writing to each person who shall have been reported to him as liable to be assessed, or to the tenant, agent, or attorney, of such person, of his intention to make an assessment, ten days at least before making the same, appointing, in said notice, a time and place at which all persons interested may appear and be heard in relation to said assessment. *Provided*, that notice to any non-resident owner may be left with the agent, tenant, or attorney of such owner, or be sent by mail to his last and usual place of abode. And the city clerk, immediately after the hearing, shall assess upon the owners their respective proportions of such expenses, and report said assessment to the city council. And when the same shall have been confirmed or amended by the city council, he shall record it in his books, and immediately make out and deliver to the treasurer for collection a bill against each person so assessed for the amount of his assessment. *Provided*, however, that if any errors shall be made in the assessment, the same shall be rectified by supplemental assessment, in doing which the same notices and proceedings shall be had as to the persons and estates assessed by such supplemental assessment, as in the original assessment.

[Passed April 5, 1854.]

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## NO. XXI.

# AN ORDINANCE

RELATING TO THE LAYING OUT STREETS.

[Passed April 11, 1854.] Repealed by Ordinance No. 22.]

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## NO. XXII.

# AN ORDINANCE

REPEALING THE ORDINANCE RELATING TO THE LAYING OUT STREETS.

*Be it ordained by the City Council of the City of Lawrence:*

That an ordinance entitled "An Ordinance relating to the laying out streets," passed April 11, 1854, be, and the same is hereby repealed.

[Passed Feb. 27, 1855.]

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## NO. XXIII.

# AN ORDINANCE

PROVIDING FOR THE ELECTION OF A SUPERINTENDENT OF BURIALS.

[Passed May 20, 1855. Repealed by Ordinance No. 45.]



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## NO. XXIV.

# AN ORDINANCE

### CONCERNING THE ASSESSMENT AND COLLECTION OF TAXES.

[Passed May 15, 1855. Repealed by Ordinance No. 33.]

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## NO. XXV.

# AN ORDINANCE

### RELATING TO AWNINGS OR SHADES AND SIDEWALKS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The tenant, occupant, and in case there shall be no tenant, the owner, agent, or person having the care of any building bordering on any street, lane, court, square or public place within the city, where there is any footway, sidewalk, awning or shade, shall, after the ceasing to fall of any snow, if in the day time, within four hours, and if in the night time, before twelve o'clock at noon succeeding, cause the same to be removed from the awning or shade and sidewalk.

SEC. 2.—Any person who shall offend against any provisions of this ordinance, shall forfeit and pay a penalty of not less than one, nor more than twenty dollars for each offence, and all costs of prosecution.

[Passed Jan. 29, 1856.]

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## NO. XXVI.

# AN ORDINANCE

PROVIDING FOR THE ERECTION OF AWNINGS.

[Passed April 22, 1856. Repealed by Ordinance No. 28.]

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## NO. XXVII.

# AN ORDINANCE

RELATING TO TRUANT CHILDREN.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The City of Lawrence hereby accepts and avails itself of the powers and provisions of the two hundred and ninety-fourth chapter of the laws of the Commonwealth for the year eighteen hundred and fifty, entitled "An Act concerning Truant Children and absentees from School;" and the three hundred and forty-third chapter, entitled "An Act in addition to the acts concerning truant children and absentees from school;" passed in the year eighteen hundred and fifty-three.

SEC. 2.—Every child in the city of Lawrence, between the ages of six and sixteen years, who shall be an habitual truant from school, shall be punished by a fine not exceeding twenty dollars, to be recovered to the use of the city of Lawrence, on complaint before the police court of Lawrence, or by confinement in the State Reform School at Westborough, for a term not exceeding two years at any one time.

SEC. 2.—Every child in the city of Lawrence, between the ages of six and sixteen years, who shall not attend school, and not be engaged in any regular and lawful occupation, growing up in ignorance, shall be punished by a fine not exceeding twenty dollars, to be recovered to the use of the city of Lawrence,

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on complaint before the police court in said Lawrence, or by confinement in the state reform school at Westborough, for a term not exceeding two years at any one time.

SEC. 4.—All complaints for violation of, or arising under the provisions of this ordinance, shall be prosecuted before the police court for the district of said city of Lawrence, which court shall have exclusive jurisdiction of all offences committed against the provisions of this ordinance.

[Passed Feb. 11, 1857.]

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## NO. XXVIII.

## AN ORDINANCE

### RELATING TO THE CONSTRUCTION AND MAINTENANCE OF AWNINGS.

*Be it ordained by the City Council of the City of Lawrence* :

SEC. 1.—No person shall place or maintain any Awning or Shade over any part of any street or sidewalk in the city of Lawrence, excepting by express license of the Mayor and Aldermen, and except also as hereinafter provided.

SEC. 2.—All awnings or shades shall be constructed of cloth, or canvass, or wood, attached either to iron or wooden frames securely fastened and supported, and shall not be less than eight feet above the level of the sidewalks over which they are placed, and said awnings, if built of wood, shall be made in sections, and firmly fastened to the frames by means of hooks or otherwise, so that they may be readily removed, and said awnings or shades, if supported by posts, shall extend to the outside edge of the sidewalk and no farther.

SEC. 3.—Any person or persons who shall hereafter erect any awnings or shades over any part of any street or sidewalk in said city, or shall continue or maintain the same over any

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such street or sidewalk, shall at all times and in all respects conform to any directions in relation to the construction, maintenance and removal of said awnings or shades which shall be given by the mayor and aldermen. Said awnings or shades shall at all times be removed by the person or persons erecting or maintaining the same, upon orders given by the mayor and aldermen for such removal; and in case any person so erecting or maintaining such awnings or shades shall neglect to remove the same the space of forty-eight hours after notice given by said mayor and aldermen for such removal, the said mayor and aldermen may cause such awnings to be removed at the expense of such person or persons so neglecting to remove the same.

SEC. 4.—All awnings, whether of wood, cloth or canvass, shall be removed from the streets during the five months of each year, from the first of November to the first of April.

SEC. 5.—Any person or persons violating any of the provisions of this ordinance, or any directions relating thereto, issued by the mayor and aldermen, shall be liable to a fine, not exceeding twenty dollars, and to a like penalty for every day that such awnings or shades shall be continued in violation of the provisions of this ordinance.

SEC. 6.—All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed May 27, 1857.]

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## NO. XXIX.

## AN ORDINANCE

### RELATING TO DOGS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No person owning or keeping any dog in the city, shall suffer or permit such dog to go at large within the city, without causing a collar to be kept about the neck of such dog,

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with the name of the owner legibly marked thereon, and from the first of July to the first of November of each year no owner of any dog shall suffer the same to run at large, in the city, unless such dog be securely muzzled, under a penalty in either case of not less than one, nor more than ten dollars, together with the costs of prosecution for each offence.

SEC. 2.—It shall be the duty of the city marshal to cause all dogs to be destroyed, which shall be found at large within the city in violation of the provisions of this ordinance.

SEC. 3.—All by-laws and ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed Aug. 12, 1857.]

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## NO. XXX.

## AN ORDINANCE

### RELATING TO SIDEWALKS.

[Passed Aug 12, 1857. Repealed by Ordinance No. 39.]

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## NO. XXXI.

## AN ORDINANCE

### RELATING TO THE ELECTION OF SCHOOL COMMITTEE.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The city of Lawrence hereby avails itself of the provisions of the act entitled "An Act providing for the election of School Committees," passed in the year 1857, embodied in chapter 270 of the statutes of 1857.

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SEC. 2.—At the next ensuing municipal election the citizens of wards One and Two, shall elect as many persons in each of their respective wards as by law they are entitled to, to serve upon the school committee for the term of three years. The citizens of wards Three and Four shall elect the same number from each of their wards, who shall serve for two years; and the citizens of wards Five and Six shall elect an equal number from each of their respective wards, to serve for one year. And at the expiration of the terms of the several persons so chosen, an election shall be made in the several wards where the vacancies occur, and the new members thus selected shall serve for three years.

[Passed Nov. 18, 1857.]

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## NO. XXXII.

## AN ORDINANCE

### RELATING TO VOTERS REMOVING FROM ONE WARD TO ANOTHER.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No person shall vote at any municipal election, in any ward other than that in which he resides and has his home, and has resided and had his home for thirty days before the time of voting; *provided,* that any person being qualified to vote in any ward, and removing therefrom to, and remaining and residing in any other ward in said city, shall continue for the space of thirty days from and after such removal, to be a voter in the ward from which he shall have removed.

SEC. 2.—Any person who shall violate any provision of this ordinance, shall forfeit and pay for each offence a penalty of twenty dollars.

[Passed Nov. 15, 1858.]

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## NO. XXXIII.

# AN ORDINANCE

RELATING TO THE ASSESSMENT AND COLLECTION OF TAXES.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The City Treasurer shall be the Collector of Taxes, and all rents, and other sums payable to the city, not otherwise specially provided for; and all of said sums are hereby made payable at the office of said treasurer.

SEC. 2.—The assessors shall make their valuation of estates and complete the assessments of taxes, and place a list thereof in the hands of the collector, on or before the first day of August in each year; and the assessors shall, within thirty days after the completion of the assessments of taxes, make and deliver to each person on whom any tax shall have been assessed, or leave at his last usual place of abode or business, a bill of such tax, which shall be equivalent to a special demand thereof by the collector; and in every case when a poll-tax only is demanded, it shall be paid on such demand, and if not so paid, a warrant shall forthwith be issued for the collection thereof according to the provisions of the statutes in such cases provided, and in case any tax other than a poll-tax shall be due and unpaid on the first day of October in each year, the treasurer shall issue a summons to the person or corporation owing such tax, and if said tax and the sum of twenty cents for said summons be not paid within ten days after the delivery or service of said summons, a warrant shall be issued for the collection of the same according to law.

SEC. 3.—In every case when the payment of a tax shall be delayed beyond the first day of October in each year, the collector shall exact the payment of interest thereon, from the first day of said October, and also the sum of twenty

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cents for the summons when issued, together with the same fees for collection that are allowed by law on execution. The collector shall keep a record of all fees and sums so paid, which record he shall lay before the city council on or before the twentieth day of December in each year, and all said sums and fees received by him, shall be paid into the city treasury.

SEC. 4.—The collector shall within the municipal year for which he is chosen, collect all taxes committed to him, from all persons against whom he shall have any tax, and who shall be resident in, or have sufficient goods or estate within the city, and he may for this purpose pursue any of the remedies by law in such case provided.

SEC. 5.—When any tax shall be abated in whole or in part, by the assessors, they shall make a record thereof in a book to be kept by them for that purpose, which record shall contain the name of the person whose tax shall be abated, the amount of his tax as originally assessed, the amount abated, and the reason for such abatement; and they shall lay such record before the city council in the month of November annually. The assessors shall decide fully upon all applications for abatement, on or before the thirtieth day of October in each year.

SEC. 6.—All other ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed Dec. 27, 1858.]



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## NO. XXXIV.

## AN ORDINANCE

PROVIDING FOR THE ELECTION OF AN AUDITOR OF ACCOUNTS AND PRESCRIBING HIS DUTIES.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall forthwith, and hereafter, annually, in the month of April, and whenever a vacancy may occur, be chosen by joint ballot of both branches of the city council, an Auditor of Accounts for the city of Lawrence, who shall be a resident thereof, and who shall continue in office until his successor is chosen. Said auditor shall be sworn to the faithful discharge of the duties of his office, and shall receive such compensation as the city council shall establish.

SEC. 2.—The auditor shall receive all claims and accounts against the city which shall have been certified to be correct by the agent authorized by some department of the city government to make the contract or cause the expenditure to be made. He shall carefully examine all such accounts and claims, and see that they are correctly cast, and present the same, neatly folded, filed and labeled, to the committee on accounts, at the regular monthly meeting next after the presentation of such accounts and claims. He shall keep a book in the manner and form that said committee shall direct, wherein he shall enter the date and amount of every account and claim against the city as finally corrected and allowed by said committee, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid, and the certificate of the said committee, allowing such account or claim, shall also be made in the book thus kept by the auditor.

SEC. 3.—The auditor shall also under the direction of the committee on accounts, keep a book or ledger in which he

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shall enter the several appropriations made by the city council each under its proper head, and charge to each the different payments and expenditures that shall, from time to time, have been made thereon. Whenever any appropriation shall be expended, the auditor shall at onee give notice thereof to the mayor, the city council and the committee on accounts, and said committee shall allow and pass no claim or account chargeable to any expended appropriation until the city council shall have provided the means of paying the same.

SEC. 4.—On or before the first day of February, annually, he shall report to the city council the receipts and expenditures of the past financial year, giving the details under their separate heads, and the names of the persons to whom, and the purpose for which such expenditures were made; and shall likewise furnish a schedule of all property belonging to the city, and also an exhibit of the loans or debts due from the city bearing interest, the rate of interest and the times when payable.

SEC. 5.—It shall be the duty of the auditor to audit and carefully examine the accounts of the treasurer for the financial year ending on the thirty-first day of December, annually, and for this purpose he shall have access to all the books and vouchers in his possession, or in that of the city clerk, or of any other officer of the city.

[Passed Feb. 7, 1859.]

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## NO. XXXV.

## AN ORDINANCE

### IN RELATION TO THE SALARIES AND COMPENSATIONS OF CITY OFFICERS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—It shall be the duty of the Joint Standing Committee on Finance, in the month of October in each year, to

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report to the City Council a resolution recommending the salaries and compensations of the principal city officers for the municipal year next ensuing.

SEC. 2.—The salaries and compensations of such officers shall be established by joint resolution passed by the city council in the month of November, for the municipal year commencing on the first Monday of the following January, and no salary thus established shall be altered during said ensuing year.

SEC. 3.—And in case the city council shall fail thus to establish in the month of November, any salary for the ensuing year, such salary shall remain and continue as last previously established in accordance with the foregoing section.

SEC. 4.—All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed Feb. 7, 1859.]

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## NO. XXXVI.

## AN ORDINANCE

### ESTABLISHING THE FISCAL YEAR OF THE CITY.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The Financial year of the City of Lawrence commencing on the first day of March, A. D. eighteen hundred and fifty-nine, shall end on the thirty-first day of December following, and the accounts and books of the city shall be made up to include those days.

SEC. 2.—The financial year of the city shall thereafter commence on the first day of January and end on the thirty-first day of December, including both days, and the books and accounts of the city shall be made up to correspond thereto.

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SEC. 3.—All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed Feb. 14, 1859.]

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## NO. XXXVII.

## AN ORDINANCE

ESTABLISHING A SYSTEM OF ACCOUNTABILITY IN EXPENDITURES OF THE CITY.

*Be it ordained by the City Council of the City of Lawrence* :

SEC. 1.—There shall be appointed at the commencement of each municipal year, a Joint Standing Committee on Accounts, consisting of two members of the Board of Aldermen, and three members of the Common Council; which committee shall meet once, at least, every month, and carefully examine and audit all accounts and claims against the city which shall be laid before them, certified as provided in the succeeding sections; and shall pass and allow the same if found to be correct and justly due.

SEC. 2.—No account or claim against the city shall be received or acted on by the committee on accounts, unless such account or claim shall be accompanied with a certificate of the mayor, or some officer, committee or agent, authorized on behalf of the city, to make the contract or cause the expenditure to be made, that the same is correct.

SEC. 3.—The auditor shall open an account with the treasurer, charging him with the whole amount of taxes for collection, and also with the amount of loans and sums of money which may be borrowed for the city, and securities and sums receivable, in order that the description and nature of all funds belonging to the city may be seen at any time

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on his books. The assessors shall annually, on the last day of November or within ten days thereafter, report to the auditor all abatements of taxes made by them.

SEC. 4.—No money shall be drawn out of the city treasury, except on the written order of the mayor, addressed to the treasurer, and countersigned by the auditor, and numbered so as to correspond with the number of the account or claim it shall be drawn to pay.

SEC. 5.—The mayor is hereby authorized to draw orders on the treasury for the payment of any account or claim against the city, allowed and certified by the committee on accounts, as provided in first section, and for no account or claim not so certified, except as provided in the succeeding section; nor shall he draw any order in payment for any class of expenditure, beyond the sum specially appropriated therefor by the city council.

SEC. 6.—Any sum of money which shall have been specially appropriated for the payment of principal or interest due on any note or other security of the city or of the town of Lawrence, may be drawn from the treasury and paid by order of the mayor, for the purpose for which it was appropriated, without any action on the part of the committee on accounts; and whenever it shall be necessary to pay money in advance on contract made for work begun but not completed, the mayor, upon being satisfied of such necessity, may draw his order on the treasurer for any sum not exceeding five hundred dollars at any one time.

SEC. 7.—Whenever any money shall be drawn from the treasury for the purpose specified in the foreging section, the auditor shall report the same and the amount thereof to the committee on accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

SEC. 8.—All officers of the city, who shall in their official capacity receive any money in its behalf, shall pay to the treasurer the amount in their hands once in each month, and

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oftener if required. All other persons who shall have in their hands money belonging to the city, shall forthwith pay the same to the treasurer.

SEC. 9. — All officers and agents of the city receiving money in its behalf, shall, once in each month, deliver to the auditor, a report in detail, of the amount received, and of the disposition made thereof, except in cases otherwise provided for.

SEC. 10.—The city treasurer shall, under the direction of the committee on accounts, keep in a book provided for the purpose, an accurate and true account of all his receipts and payments in behalf of the city, making the same conform, in some mode of entry, as nearly as may be, with the accounts kept by the auditor. He shall not pay any money out of the treasury except upon order of the mayor, drawn as prescribed in this ordinance. He shall, once in six months, and oftener if required, lay before the city council a statement of the condition of the treasury, and all monies received and paid by him on account of the city during the preceding six months. He shall, under the direction of the committee on finance, open an account with some bank in the city of Lawrence, in the name of the "treasurer of the city of Lawrence," and shall keep the monies belonging to the treasury deposited therein. He shall, from time to time, draw checks as the treasurer of the city of Lawrence for the money so deposited, to pay the written orders of the mayor, as provided in sections five and six, but he shall at no time keep in his possession, not deposited as above stated, any sum or sums of money exceeding in all five hundred dollars.

SEC. 11.—There shall be appointed at the commencement of each financial year, a committee on finance, consisting of the mayor, one member of the board of aldermen, and five members of the common council, which committee shall negotiate all loans to the city which may be authorized by the city council, and shall report the same to the city treasurer.

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SEC. 12.—The committee on finance shall, in the month of January, annually, prepare and lay before the city council, an estimate of the amount of money necessary to be raised for the current financial year, under various heads of appropriations, and the ways and means of raising the same.

SEC. 13.—The committee on finance shall ascertain whether all monies due the city have been collected and accounted for; and they shall examine all notes and securities in the hands of all officers belonging to the city, and make report thereof to the city council.

SEC. 14.—The auditor shall give bonds in the penal sum of one thousand dollars for the faithful performance of all duties prescribed for him in this ordinance, and the delivery to his successor, of all books, papers and property belonging to said office.

SEC. 15.—The city treasurer and collector shall give bonds with sufficient sureties in the sum of twenty thousand dollars, to the satisfaction of the mayor and aldermen, for the faithful performance of the duties of said office of treasurer and collector, and that he will truly and justly account for all monies that may come into his hands.

SEC. 16.—The city clerk shall give bonds in the penal sum of two thousand dollars for the faithful performance of all duties prescribed for him in the city charter, and the delivery to his successor of all books, papers, and other property belonging to said office.

SEC. 17.—All ordinances and parts of ordinances inconsistent with this ordinance, are hereby repealed.

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## NO. XXXVIII.

# AN ORDINANCE

ESTABLISHING THE OFFICE OF MILK INSPECTOR.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The Mayor and Aldermen shall, upon the passage of this ordinance, and thereafterwards annually, on the first Monday of January, or within sixty days thereafter, or whenever the office shall be vacant, appoint an Inspector of Milk, who shall be removable at the pleasure of the mayor and aldermen, be sworn to the faithful performance of his duty, receive such compensation for his services in addition to the fines and forfeitures which he shall collect, as the city council shall determine, and hold his office until another shall be appointed in his place, unless sooner removed as aforesaid.

SEC. 2.—It shall be the duty of the said inspector to give legal notice of his appointment, and to request therein all persons selling milk within the city, to conform to all the requirements of the law and of this ordinance. And to invite all persons knowing of violations of the law relating to the sale of milk, to report the same to him, to prosecute before the proper tribunal all such violations as shall come to his knowledge. And to keep proper books of account, and record of all matters appertaining to his office, which said books shall always be open to the inspection of the mayor and each of the aldermen, and shall be transmitted to his successor in office.

[Passed Oct. 24, 1859.]



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## NO. XXXIX.

## AN ORDINANCE

### CONCERNING EDGE STONE AND SIDEWALKS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—Whenever the owner or owners of any lot of land abutting on any public street of the city, shall have caused curb stones and a permanent sidewalk of brick, or of dressed and pointed flag stones to be constructed in front of said lot conformably to the established grade of the street, and in a manner acceptable to the mayor and aldermen, such sidewalk including its curb stones, may be accepted by the city, and when so accepted shall be kept in repair by the city, with the exception that all the repairs of the same which may be necessary by reason of any defect or insufficiency in any building adjacent to the sidewalk, or from any other cause occasioned by the fault, or neglect of the owner or tenant of such building, shall be made by the owner or tenant of such building, and if he shall neglect to make such repair for the space of forty-eight hours after due notice of such defect, then said repair shall be made by the superindent of streets in behalf of the city, at the expense of such owner or tenant, who shall repay to said city all the costs of such repairs.

SEC. 2.—The city clerk shall enter in a book to be kept for the purpose, the names of the streets in which all sidewalks that are now or may hereafter accepted, are located, the date of the acceptance of said sidewalks, and the names of the owners of the adjacent estates.

SEC. 3.—All sidewalks now paved with brick, or with dressed and pointed flag-stones, and furnished with suitable curb-stones as above provided, shall come under the operation and force of this ordinance when put in repair by the owner or owners of the abutting estates, to the acceptance of the mayor and aldermen.

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SEC. 4.—No sidewalk shall be accepted without due notice having been given to all parties interested, and a hearing if desired, before a committee of the board of aldermen, in the manner as provided by the stautes in the case of laying out, or acceptance of streets.

SEC. 5.—The ordinance relating to sidewalks, passed August 12th, 1857, and all other ordinances, and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Passed Nov. 26, 1859.]

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## NO. XL.

## AN ORDINANCE

### RELATING TO ERECTION OF AWNINGS OR SHADES.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No person shall place or maintain any Awning or Shade over any part of any street or sidewalk in the city of Lawrence, except by express license of the Mayor and Aldermen, and except as hereinafter provided.

SEC. 2.—All awnings or shades shall be constructed of cloth, canvass, or wood, attached either to iron or wooden frames, securely fastened and supported, and shall not be less than eight feet above the level of the sidewalks over which they are placed; said awnings and shades, if supported by posts, shall extend to the outside edge of the sidewalk, and no farther.

SEC. 3.—Any person or persons who shall hereafter erect any awnings or shades over any part of any street or sidewalk, in said city, or shall continue or maintain the same over any such street or sidewalk, shall at all times and in all

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respects conform to any directions in relation to the construction, maintenance and removal of said awnings and shades which shall be given by the mayor and aldermen. Said awnings and shades shall at all times be removed by the person or persons erecting or maintaining the same, upon orders given by the mayor and aldermen for such removal; and in case any person so erecting or maintaining such awnings or or shades, shall neglect to remove the same for the space of forty-eight hours after notice given by said mayor and aldermen, for such removal, the said mayor and aldermen may cause such awnings to be removed at the expense of such person or persons neglecting to remove the same.

SEC. 4.—It shall be the duty of the street commissioner of the city, to examine, during the month of November of each year, all awnings and shades erected over any street or sidewalks within the city, and to report to the mayor and aldermen the condition of any such awning or shade which in his judgment shall be insufficient or insecure.

SEC. 5.—Any person or persons violating any of the provisions of this ordinance, or any directions which the mayor and aldermen may issue under and by virtue of this ordinance, shall be liable to a fine not exceeding twenty dollars, and to a like penalty for every day that such awnings or shades shall be maintained or continued in violation of the provisions of this ordinance, or of any order or direction of said mayor and aldermen in relation thereto.

SEC. 6.—All ordinances and parts of ordinances inconsistent herewith, are hereby repealed.

[Passed Nov. 26, 1860.]

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NO. XLI.

# AN ORDINANCE

CONCERNING PUBLIC PROPERTY AND DEFINING THE DUTIES OF COMMITTEES.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The school committee shall have general superintendence and control of the school houses and the property thereto belonging, and may make such alterations, additions or repairs, as they may deem necessary.

SEC. 2.—The joint standing committee on streets shall have the control and custody of the city stables and the public property of the city in the street department, with power to make such alterations, repairs, sales or purchases, as they may deem desirable and necessary.

SEC. 3.—The joint standing committee on public property shall have the charge and superintendence of all the public buildings and other property belonging to the city not by law, or ordinance, otherwise provided for, may sell or let such as may be legally let or sold; may make such purchases, additions or repairs, as they may deem expedient.

SEC. 4.—Whenever any purchase, sale, alteration, addition or repair, shall exceed in amount the sum of one hundred dollars, the same shall be made or authorized by no committee unless the city council shall have ordered or have made special appropriation for the same; provided, however, that the provisions of this section shall not apply to the purchase of fuel by the school committee, or committee on public property.

SEC. 5.—The purchase of any land, the purchase or erection of any building, and any alterations and repairs on the city hall, school, or engine houses, or other public buildings, when the same shall exceed in amount the sum of one hun-

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dred dollars, shall, unless otherwise directed by the city council, be made under the direction of the committee on public property.

SEC. 6.—No expenditure shall be made or incurred, for or in behalf of the city, in any of the above mentioned departments, unless by the provisions of this ordinance, or otherwise duly authorized.

SEC. 7.—In all cases where the amount of any contract for the erection, alteration or repair of any building or for purchase of any property, shall exceed the amount of three hundred dollars, the contract for the same shall be in writing, signed in behalf of the committee by the chairman; and no such contract, after the same shall have been signed by the parties, shall be altered in any particular, unless a majority of said committee shall signify their assent thereto in writing, with their respective signatures endorsed on the back of the contract.

SEC. 8.—This ordinance shall take effect from and after its passage.

[Passed Feb. 1, 1861.]

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## NO. XLII.

## AN ORDINANCE

CONCERNING APPROPRIATIONS FOR RELIEF OF FAMILIES OF VOLUNTEERS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—The City Treasurer is hereby authorized to pay from the appropriations made by the City Council under the State "Act" of 1861, for the relief of Families of Volun-

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teers, such drafts as may be presented to him from the committee properly charged with the application of such funds.

SEC. 2.—All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

[Passed Oct. 8, 1861.]

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## NO. XLIII.

## AN ORDINANCE

RELATING TO COMMISSIONER OF STREETS.

*Be it ordained by the City Council of the City of Lawrence*:

SEC. 1.—There shall annually be appoined by the City Council in convention, by ballot, an able, and discreet person to be styled the Commissioner of Streets, who shall also be the surveyor of highways, required by law to be chosen, and who shall continue in office until removal, or until a successor be appointed, and sworn to the faithful performance of his duty. He shall receive such compensation for his services as the city council shall establish, and shall be removable at their pleasure; and in case said office shall become vacant by death, resignation, or otherwise, a successor shall be appointed in the manner prescribed.

SEC. 2.—It shall be the duty of the commissioner of streets, under the general care and supervision of the committee on streets, to superintend the general state of the streets, roads, sidewalks, lanes, bridges, public walks, and squares of the city, except the common; to attend to the making, widening or alteration of the same, to cause the same to be kept in good, sufficient, and suitable repair, and to make all contracts for labor and materials that may be necessary; to superintend the building and repair of any

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drains or sewers for the city, and to make all necessary contracts for the same; such contracts to be in all cases subject to the approval of the committee on streets. He shall also make all necessary arrangements for keeping the streets clean and in good order, and he shall give notice to the mayor or city marshal in case of any nuisance, obstruction, or encroachment in or upon any of the streets, roads, sidewalks, bridges, public walks, or squares of the city.

SEC. 3.—The commissioner of streets may make such arrangements with the overseers of the poor for the purpose of procuring labor and materials in the discharge of his duties aforesaid, as the interests of city may require.

SEC. 4.—All ordinances and parts of ordinances inconsistent with the above are hereby repealed.

[Passed Jan. 23, 1862.]

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## NO. XLIV.

## AN ORDINANCE

### RELATING TO THE PAY OF POLICEMEN.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—No Policeman shall receive any pay for service as such, unless detailed thereto by the Mayor of the city, or the City Marshal; or the bill for such service is approved by the Committee on Police.

[Passed Jan. 23, 1862.]

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## NO. XLV.

# AN ORDINANCE

PROVIDING FOR THE ELECTION OF A SUPERINTENDENT OF BURIALS.

*Be it ordained by the City Council of the City of Lawrence:*

SEC. 1.—There shall hereafter, annually, in the month of January, be elected agreeably to the provisions of ordinance number three, and subject to removal by the City Council, a suitable person to be styled Superintendent of Burials, who shall continue in office, under the control and subject to the orders and regulations of the Board of Health, until removed, or until a successor shall be elected.

SEC. 2.—The superintendent of burials shall give bond in the sum of five hundred dollars with sufficient sureties to the satisfaction of the mayor and aldermen, for the faithful performance of the duties of said office of superintendent of burials, and that he will justly and truly pay into the city treasury and account for all moneys that may come into his hands, and will deliver to his successor all books, papers and property in his hands belonging to the city.

SEC. 3.—Ordinance numbered twenty-three, passed March 27th, 1855, is hereby repealed; and the passage of this ordinance shall revive no ordinance, or part of ordinance, previously repealed by ordinance numbered twenty-three.

[Passed March 5, 1862.]



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# FIRE DEPARTMENT.

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# FIRE DEPARTMENT.

## An Act to Establish a Fire Department in the Town of Lawrence.

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by authority of the same, as follows:*

Fire Department in Lawrence.

Sec. 1.—A fire department is hereby established in the town of Lawrence, subject to, and to be governed by, the provisions of the act entitled "An Act to regulate Fire Departments," passed on the ninth day of April, in the year one thousand eight hundred and thirty-nine.

Selectmen may appoint engineers.

Sec. 2.—The selectmen of the town of Lawrence may, at any time within three months after the passage of this act, appoint engineers for their fire department, who shall hold their offices, with the approbation of said selectmen, until the first day of May next, and until others are appointed in their stead.

Sec. 3.—This act shall take effect from and after its passage.

[Approved by the Governor, May 10, 1848.]

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# REGULATIONS.

## SECTION I.

ART. 1.—The Engineers, as soon as practicable after their appointment, shall meet and organize themselves into a Board of Engineers, by the choice of a Chief Engineer, a First and Second Assistant, and a Clerk; who shall hold their respective offices for the year ensuing, and until others are elected in their stead.

ART. 2.—The meetings of the board shall be called by the clerk, who shall give notice to each of its members.

ART. 3.—A majority of the board shall be present at any of the meetings, in order to constitute a quorum. The chief shall preside at all meetings of the board when he shall be present, and in his absence the senior engineer present shall be the presiding officer.

ART. 4.—The engineers shall have general superintendence and control of all the engine and other houses used for the purposes of the fire department, and of all the furniture and apparatus thereunto belonging; and of the engines, and all other apparatus belonging to the city.

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ART. 5.—It shall be the duty of the chief engineer to visit, or cause to be visited by one of the assistants, all the companies belonging to the fire department, at their regular monthly meetings, for the purpose of ascertaining the condition of the apparatus, and for furnishing all necessary supplies; also to ascertain the number and standing of its members.

ART. 6.—It shall be the duty of said engineers, whenever a fire shall break out in the city, to repair forthwith to, or near the place where the fire may be, to take proper measures that the several engines and other apparatus be arranged in the most advantageous situations, and duly worked for the extinguishment of the fire; and to require and compel assistance from all other persons, as well as members of the fire department, in extinguishing the fire, or moving furniture, goods, and other merchandise, from buildings on fire, or in danger thereof; and to appoint guards for the security of the same; also, to require and compel assistance in pulling down and demolishing buildings, if necessary, and in suppressing all tumults and disorders.

ART. 7.—The chief engineer shall have the sole command at fires, over all other engineers, all members of the fire department, and all other persons who may be present at fires. Provided, however, that no building shall be pulled down or demolished, without the concurrence of at least three engineers.

ART. 8.—In the absence of the chief engineer the first assistant, and in his absence the second assistant shall execute the duties of his office, with full powers.

ART. 9.—It shall be the duty of the chief engineer to keep or cause to be kept, a record of all fires which may happen in the city during the year, with the probable causes of the same, and a description of the buildings and property destroyed and injured, together with the names of the owners and occupants of such buildings.

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ART. 10.—If any engine or fire apparatus be so damaged that immediate repairs are necessary, it may be taken forthwith to a suitable person to be repaired; but no repair shall be made until information of such damage is given to the chief engineer, that he may order or superintend such repairs. Provided that, in case such information cannot readily be given to the chief engineer, it may be given to any other engineer. All bills of any kind, are to be presented to the chief engineer immediately after the work is completed and delivered.

ART. 11.—The members of the several fire companies are strictly forbidden to assemble at any of the engine houses on Sunday, except in case of fire, without the permission of an engineer, and no repairs or work of any kind will be allowed on that day without the consent of the engineer who has charge of the company.

ART. 12.—It shall be the duty of the foreman of the several companies, to demand the discharge of any member who may be guilty of any disorderly or improper conduct, or use any disrespectful language to the engineers or officers of the company, and in case they refuse to discharge such member, the foreman shall at once report the same to the engineers.

ART. 13.—Any member who shall be absent from three consecutive fires, unless detained by sickness of himself or family shall be liable to be discharged from the department.

## SECTION II.

ART. 1.—Each of the companies formed and appointed by the Board of Engineers, shall have a Foreman, Assistant Foreman, Clerk, and Steward, who shall be chosen annually, by the written votes of their respective companies, at a special meeting held for that purpose.

ART. 2. It shall be the duty of the clerk of each company, to notify its members of meetings for drill.



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ART. 3.—It shall be the duty of the foreman, and in his absence, of the assistant, to direct the time and place of drill.

ART. 4.—It shall be the duty of the foreman of each of the companies of the fire department respectively, to see that the engines and other apparatus, together with the buildings entrusted to his care, are kept clean and in order for immediate use; to preserve order and dicipline at all times, and to require and enforce a strict compliance with the rules, regulations, and orders of the board of engineers.

ART. 5.—It shall be the duty of the foreman to keep, or cause to be kept by the clerks of the respective companies, an exact roll, specifying the time of admission and discharge of each member of their respective companies, and report the same to the chief engineer within five days from the performance of said duty.

ART. 6.—It shall be the duty of the steward to keep clean the house, hose or other apparatus which may belong to the company, to clean the snow from the sidewalks connected with the house in winter, and at all times to see that the engine and other apparatus are fit for immediate use.

ART. 7.—On the return of said engines and other apparatus, they shall by the said companies respectively, be well washed, cleansed, oiled, and securely housed; and once in every month, said companies shall meet for the purpose of examining the state of their respective engines and other apparatus, and see that the same are in good order and fit for use; and once in each of the months of May, July, and September, they shall draw out their respective engines and other apparatus, to try, wash, and cleanse them; and the said engines and other apparatus carefully return.

ART. 8.—No company will be permitted to take their engine, or other apparatus, out of the city, without the permission of an engineer.

ART. 9.—The members of each company are to have the control of the engine and other apparatus committed to their

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care, which are not to be handled, used or in any way meddled with by the members of other companies, unless by the permission of the officers having the same in charge, or by the special order of an engineer.

ART. 10.—If any member of either of the several companies shall willfully neglect or refuse to discharge his duty, or shall be guilty of disorderly conduct, or disobedience to any officer, or to any engineer, he shall, for such offence be dismissed from the fire department.

ART. 11.—No person shall be permitted to engage to serve in the fire department for a shorter period than three months; and if he shall be dismissed from his company before the expiration of three months, except it be on account of sickness, or some other circumstance beyond his control, he shall forfeit all compensation which may have become due to him.

ART. 12.—All the companies of the fire department shall be furnished with a copy of these by-laws, which shall be framed and placed in their respective places of meeting.

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## SECTION III.

ART. 1.—It shall be the duty of the officers and city members of the fire department, whenever a fire shall break out in the city, to repair forthwith to the building in which are deposited their engine and other apparatus, and to convey the same in as orderly a manner as may be, to or near the place where the fire is, and in conformity with the directions of the chief or other engineers, to exert themselves in the most orderly manner possible, in working and managing the engines, hooks and ladders, and other apparatus, and in performing any other duty they may be called upon to do by an engineer; and upon permission of the chief or other engineer, they shall, in an orderly and quiet manner, return said engine and other apparatus to their respective places of deposit. Provided that, in the absence of all the engineers,

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such direction and permission may be given by the foremen of the respective companies.

ART. 2.—As a general rule it is recommended not to open the doors or windows of a building in which a fire may be, until a supply of water is obtained, and then carefully to abstain from injuring goods or furniture by its injudicious application.

ART. 3.—The first engines on arriving at a fire are to be drawn to the nearest supply of water, their suction hose lowered and their leading hose extended; the engineers will then exert themselves to place the other engines present so as to receive their water and pass it on towards the fire. But should the first engine be able to reach the fire with their hose, and no other engine be ready to receive their water, they will play upon the fire until one arrives or until otherwise ordered. Water is not to be lead past any engine stationed to receive and play out, unless by special order.

Each company is to carry not less than three hundred feet of leading hose, and in forming a line shall extend three hundred feet, unless otherwise ordered by an engineer.

ART. 4.—Whenever an order is given to any company working in line to cease working, their brakes shall be immediately stopped, which shall be a signal to the engine supplying them to cease also, and so on to the draught engine or hydrant; and if the position of any company shall be such that the engine into which they discharge their water cannot be seen, it shall be the duty of one of the hosemen having charge of their hose, to repair immediately to his own engine with the order. In resuming operations the same signals shall be observed, working at a slow stroke until the whole line is again in operation.

ART. 5.—Badges are to be worn at fires, by all members of the fire department, on front of the hat or cap.

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# HEALTH DEPARTMENT.

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# REGULATIONS OF BOARD OF HEALTH.

REGULATIONS OF THE BOARD OF HEALTH CONCERNING BELLEVUE CEMETERY AND THE INTERMENT OF THE DEAD.

ART. 1.—The Mayor shall hereafter, annually, in the month of January, appoint from the Board of Health three persons who shall constitute the Committee on the Cemetery.

ART. 2.—It shall be the duty of the superintendent of burials, by himself or by some person whom he shall provide, as soon as informed of the decease of any person within the limits of the city, to take the personal charge and oversight of all necessary arrangements for the removal when thereto requested and the burial of the body of the deceased; to keep the walls, fences and gates of the said cemetery in good and proper repair, and to take care that the said cemetery be secured and inclosed at all times; to point out the place, depth and width of every grave to be dug therein, and also to record in a book to be kept by him for the purpose, the name, age and sex of each person buried therein — the family and place of residence to which the deceased belonged — the disease of which he or she died — the time of burial, the number and position of the grave, and of the range or tomb where buried or deposited.

ART. 3.—The superintendent of burials shall, on or before the tenth day of each month, report to the city clerk a

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correct list of all the deaths which have occurred in the city during the month next preceding, stating in separate columns the date of the death, the name and surname of the deceased, the sex, condition — whether married or single, age, occupation, place of death, place of birth, names of the parents, disease or cause of death, and the time when the record was made.

ART. 5.—At such times of the year as labor can be performed in the said cemetery, the superintendent, when not attending funerals and burying the dead, shall, under the direction and supervision of the committee on the cemetery, be employed in making and repairing walks, avenues, and in such other similar labor as may be required by said committee for the improvement of the grounds.

He shall put up a sign "Superintendent of Burials" at his place of residence or at a somewhat central part of the city, where all necessary information can be given, that he may be found without delay. He shall be paid such salary for said services as the board of health shall direct.

ART. 6.—The fees for the services of the superintendent shall be: for digging and closing the grave of any person whose age exceeds ten years, two dollars; under ten years, one dollar; and for opening and closing a tomb, one dollar; and for attendance with the hearse, one dollar in addition to the above charges.

This article shall apply only to funerals within the city, and all fees and moneys received by the superintendent for services rendered, or for wood, timber, or any thing sold from or out of the said cemetery, shall be paid into the city treasury monthly.

ART. 7.—The proprietors of any lot in the said cemetery, shall have the right to use the same as a place for the burial of the dead; for the erection of suitable stones, monuments, or sepulchral structures; for the cultivation of trees, shrubs, plants and flowers, and for no other purpose.

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ART. 7.—If any lot, avenue or path in said cemetery shall be injured or incommoded by means of any shrubbery or other object in or upon an adjacent lot, the owner thereof shall be required to remove such obstruction; and in case of failure seasonably so to do, it shall then be the duty of the committee on the cemetery to cause it to be removed at the owner's expense.

ART. 8.—If any stone, monument, effigy, or structure of any kind (or the device or inscription thereon) which may be placed on any lot, shall be decided by the committee on the cemetery to be improper or offensive, it shall be the right and duty of the said committee to cause such improper or offensive object or structure to be removed forthwith.

ART. 9.—All persons who may be found noisy or disorderly, or otherwise misbehaving themselves within the limits of the cemetery, or so conducting as to desecrate the place, shall be deemed offenders against these regulations, and shall be prosecuted accordingly.

ART. 10.—No person shall gather any flowers, or break, cut or injure any tree, shrub, bush or plant within the limits of the said cemetery, excepting such as are growing or standing on the lot or lots owned by him. Nor shall any person discharge firearms of any kind within the bounds of the said cemetery, except at the burial of persons with military honors.

ART. 11.—It shall be the duty of the superintendent forthwith to report the name of any and every person known to have violated any of the above regulations, to the committee on the cemetery, who shall prosecute all such as have wantonly or maliciously offended.

ART. 12.—Whenever any person shall decease within the limits of the city, it shall be the duty of the nearest relative or the housekeeper in whose family or house the person died, to cause the same to be made known to the superintendent of burials as soon as practible.



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ART. 13.—No person, except the superintendent of burials or those employed by him, subject to the approval of the committee on the cemetery, shall be allowed to dig any grave, bury any dead body, or open any tomb with the said cemetery; and no other person, unless appointed an undertaker or otherwise specially authorized by the board of health, shall dig any grave, bury any dead body, or open any tomb in any cemetery, graveyard, or other place in the city other than the cemetery; and no person shall remove the body of any deceased person or the remains thereof from the city or from one grave or tomb to another, within the city, without first obtaining license so to do from the superintendent of burials.

ART. 14.—Nothing contained in the foregoing articles shall be construed to prevent the employment of any suitable person other than the superintendent of burials to attend with a hearse at any funeral and to remove the body af any deceased person to the place of burial, subject to the control of the said superintendent at the said cemetery. The fees named in article six are to be paid to the said superintendent in all cases.

ART. 15.—All funerals shall take place between sunrise and sunset, unless otherwise permitted by the board of health.

ART. 16.—Any person who shall be guilty of a violation of any of the foregoing regulations, shall for such breach of these regulations forfeit and pay a sum of not less two nor more than twenty dollars, to be recovered for the use of the city, by a complaint of the superintendent of burials, or chairman of the committee on the cemetery before the Justice of the Police Court within and for the district of Lawrence.

ART. 17.—All regulations heretofore established by the board of health, are hereby repealed and annulled.

[ADOPTED JANUARY 23, 1862.]

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# COMMITTEES OF THE CITY COUNCIL.

## JOINT STANDING COMMITTEES.

*Finance,* — Mayor, Aldermen Spalding; Councilmen Pillsbury, Cogswell, Bailey, Emerson, and the President.

*Accounts,* — Aldermen Hoadley and Stedman; Councilmen Morris, Barnes and Fuller.

*Public Property,* — Aldermen Andrews and Stratton; Councilmen Poor, Brown and Ayer.

*Streets,* — Mayor, Aldermen Spalding and Stedman; Councilmen Mathews, Jordan, Cogswell, Maynard and Freese.

*Fire Department,* — Aldermen Ladd and Stratton; Councilmen Runals. Frost, Fuller, Barnes and Emerson.

*Ordinances,* — Mayor, Councilmen Fuller and Brown.

*Printing,* — Alderman Hoadley; Councilmen Boothman and Bailey.

## STANDING COMMITTEES OF BOARD OF ALDERMEN.

*Police,* — The Mayor, Aldermen Andrews and Spalding.

*Elections,* — Aldermen Ladd, Andrews and Stedman.

*Enrolled Bills,* — Aldermen Hoadley, Stratton and Stedman.

*Licences,* — Aldermen Stratton, Ladd and Andrews.

*Sewers,* — Aldermen Stratton, Stedman and Ladd.

*Cemetery,* — Aldermen Stedman, Hoadley and Stratton.

## STANDING COMMITTEES OF COMMON COUNCIL.

*Elections,* — Councilmen Boothman, Freeze and Frost.

*Bills in Second Reading,* — Poor, Cogswell and Boothman.

*Enrolled Bills,* — Pillsbury, Mathews and Maynard.

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# VALUATION OF PROPERTY.

**1847.**

Real.....1,563,045
Personal..... 156,159—$1.719,204

**1848.**

Real.....3,466,586
Personal..... 347,840—$3,814,426

**1849.**

Real.....4,781,950
Personal..... 948,760—$5,730,710

**1850.**

Real.....4,890,264
Personal.....1,012,477—$5,902,741

**1851.**

Real.....5,073,739
Personal.....1,334,187—$6,407,926

**1852.**

Real.....4,934,545
Personal.....1,439,810—$6,374,355

**1853.**

Real.....5,421,405
Personal.....1,515,755—$6,937,160

**1854.**

Real.....6,444,295
Personal.....2,201,226—$8,645,561

**1855.**

Real.....7,223,338
Personal.....2,730,151—$9,953,489

**1856.**

Real.....7,528,720
Personal.....2,955,005—$10,483,725

**1857.**

Real.....7,355,495
Personal.....2,872,995—$10,228,490

**1858.**

Real.....7,636,498
Personal.....2,612,510—$10,249,008

**1859.**

Real.....7,509,609
Personal.....2,513,338—$10,022,947

**1860.**

Real.....7,644,950
Personal.....2,939,073—$10,584,023

**1861.**

Real.....7,368,635
Personal.....3,400,980—$10,769,615

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